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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Note by the Secretary-General*

1. The Secretary-General has the honour to transmit to the General Assembly the thirty-second report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, submitted pursuant to General Assembly resolution 54/76 of 6 December 1999.

2. This report should be considered together with the Special Committee's periodic reports (A/55/373 and Add.1).

* The footnote requested by the General Assembly in its resolution 54/248 was not included in the submission.

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I. Introduction

1. The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories was established by the General Assembly by its resolution 2443 (XXIII) of 19 December 1968.

2. The Special Committee is composed of three Member States: Malaysia (represented by the Permanent Representative of Malaysia to the United Nations, Hasmy Agam), Senegal (represented by the Permanent Representative of Senegal to the United Nations Office at Geneva, Absa Claude Diallo) and Sri Lanka (represented by the Permanent Representative of Sri Lanka to the United Nations, John de Saram, serving as Chairperson).

3. The Special Committee reports to the Secretary-General. The reports of the Special Committee are considered in the Special Political and Decolonization Committee (Fourth Committee) of the General Assembly.

II. Mandate

A. General background

4. The General Assembly, in its resolution 2443 (XXIII) of 19 December 1968, entitled "Respect for and implementation of human rights in occupied territories", decided to establish a Special Committee, composed of three Member States, to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories.

5. The General Assembly, in its resolution 44/48 A of 8 December 1989, decided to change the name of the Special Committee to Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

6. The mandate of the Special Committee, as set out in resolution 2443 (XXIII) and subsequent resolutions, was to investigate Israeli practices affecting the human rights of the population of the occupied territories.

7. The Special Committee has proceeded on the basis that:

(a) For the purposes of the present report, the territories considered occupied territories are those remaining under Israeli occupation, namely, the occupied Syrian Arab Golan, the West Bank, including East Jerusalem, and the Gaza Strip;

(b) The persons covered by resolution 2443 (XXIII) and therefore the subject of the investigation of the Special Committee were the civilian population residing in the areas occupied as a result of the hostilities of June 1967 and those persons normally resident in the areas that were under occupation but who had left those areas because of the hostilities;

(c) The "human rights" of the population of the occupied territories consists of two elements, namely, those rights which the Security Council referred to as "essential and inalienable human rights" in its resolution 237 (1967) of 14 June 1967 and, secondly, those rights which found their basis in the protection afforded by international law in particular circumstances such as military occupation and, in the case of prisoners of war, capture. In accordance with General Assembly resolution 3005 (XXVII) of 15 December 1972, the Special Committee was required to investigate allegations concerning the exploitation and the looting of the resources of the occupied territories, the pillaging of the archaeological and cultural heritage of the occupied territories and interference in the freedom of worship in the Holy Places of the occupied territories;

(d) The "policies" and "practices" affecting human rights that come within the scope of investigation by the Special Committee refer, in the case of "policies", to any course of action consciously adopted and pursued by the Government of Israel as part of its declared or undeclared intent; while "practices" refer to those actions which, irrespective of whether or not they were in implementation of a policy, reflect a pattern of behaviour on the part of the Israeli authorities towards the civilian population in the occupied areas;

(e) The geographical names and the terminology employed in the present report reflect the usage in the original source and do not imply the expression of any opinion whatsoever on the part of the Special Committee or the Secretariat of the United Nations.

8. The Special Committee has, with respect to human rights, relied on the following:

(a) The Charter of the United Nations;

(b) The Universal Declaration of Human Rights, of 10 December 1948;[1]

(c) The International Covenant on Civil and Political Rights, of 16 December 1966;[2]

(d) The International Covenant on Economic, Social and Cultural Rights, of 16 December 1966;[2]

(e) The Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[3]

(f) The Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949;[4]

(g) The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954;[5]

(h) The Hague Conventions of 1899 and 1907 respecting the Laws and Customs of War on Land.[6]

9. The Special Committee has also relied on those resolutions relevant to the situation of civilians in the occupied territories adopted by United Nations organs — the General Assembly, the Security Council, the Economic and Social Council and the Commission on Human Rights — as well as the relevant resolutions of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the International Labour Organization (ILO).

B. General Assembly resolution 54/76 of 6 December 1999

10. The General Assembly, in its resolution 54/76 of 6 December 1999:

> "5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded, and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;
>
> "6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;
>
> "7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners in the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967".

C. Reports of the Special Committee

11. Pursuant to General Assembly resolution 54/76, in 2000 the Special Committee submitted a first periodic report, relating to the period from 21 August 1999 to 28 February 2000 (A/55/373), and a second periodic report, relating to the period from 1 March to 31 July 2000 (A/55/373/Add.1).

12. The present final report for 2000 is also submitted pursuant to General Assembly resolution 54/76.

III. Organization of work

A. Meetings

13. The Special Committee met in Geneva on 17 March 2000 to discuss its methods of work and programme for 2000. During the meeting, it held consultations with representatives of ILO, the Syrian Arab Republic and the representative of the Palestinian Authority to review and finalize arrangements for its meetings to be held in Cairo, Amman and Damascus. The Special Committee also considered its first periodic report to the Secretary-General (A/55/373) and prepared for its meetings in Egypt, Jordan and the Syrian Arab Republic from 19 to 31 May 2000 for the purpose of hearing from persons living in the occupied territories.

14. The Special Committee met in Cairo, Amman and Damascus from 19 to 30 May 2000. It convened

initially in Cairo from 19 to 21 May, from 23 to 25 May in Amman and from 26 to 30 May in Damascus.

15. In Cairo, (19-21 May), the Special Committee met with representatives of the Ministry of Foreign Affairs and heard the testimony of witnesses living in Jerusalem, the West Bank and Gaza.

16. In Amman (23-25 May), the Special Committee met with the Director-General of the Department of Palestinian Affairs and representatives of the Ministry of Foreign Affairs. The Committee heard the testimony of witnesses from the West Bank, Gaza and Jerusalem.

17. In the Syrian Arab Republic (26-30 May), the Special Committee met with the Minister of State for Foreign Affairs, Nasser Kadour, and with the Director of International Organizations Department, Ministry for Foreign Affairs, Klovis Khoury. The Special Committee visited Quneitra Province, bordering the occupied Syrian Arab Golan, and met with the Governor of Quneitra, Walid Al-Buz. In Quneitra, the Special Committee heard the testimony of witnesses who provided information with reference to the occupied Syrian Arab Golan.

18. A total of 24 witnesses from the occupied territories and Israel appeared before the Special Committee at its meetings in Damascus, Amman and Cairo.

B. Nature of evidence

19. The evidence, oral and documentary, presented to the Special Committee at its meetings in 2000 were similar in nature to the evidence, oral and documentary, that was presented to the Committee in 1999 and described in its report to the General Assembly at its fifty-fourth session (A/54/325).

20. The present report is based on oral and documentary materials presented under oath to the Special Committee and is available for consultation in records maintained by United Nations verbatim reporters. The various materials are listed in the annex to the report and are also available for consultation.

21. The testimony before the Special Committee concerned such questions as the Israeli settlement policy; confiscation of land; house demolitions; revocation of residence permits in Jerusalem; water supply for domestic and agricultural use; movement of persons and goods; closures; treatment of prisoners and detainees; health conditions in the occupied territories; and the general economic and social situation in the area.

22. The Special Committee also received excerpts of reports appearing in the Israeli press and in the Arab press published in the occupied territories. The Special Committee received a number of communications and reports from Governments, non-governmental organizations, international organizations and individuals concerning the occupied territories.

23. The material before the Special Committee consisted of the following:

(a) The oral testimony of persons from the occupied territories;

(b) Written material submitted by such persons;

(c) Written material received from the Governments of Jordan and the Syrian Arab Republic;

(d) Reports appearing in *The Jerusalem Post*, *Ha'aretz* and *The Jerusalem Times* in 1999 and 2000.

24. The various materials are listed in the annex to the report and are also available for consultation.

25. The Special Committee took note of the report of Mr. Giorgio Giacomelli, Special Rapporteur of the Commission on Human Rights to investigate Israel's violations of human rights in the Palestinian territories occupied by Israel since 1967 (E/CN.4/2000/25).

C. Other aspects

1. Inability of the Special Committee to visit the occupied territories

26. The Special Committee has not, since its establishment in 1968, had access to the occupied territories. This is unfortunate, as necessarily, the report of the Special Committee is for that reason of a limited nature. In preparing for its field mission in 2000, the Special Committee addressed a letter to the Permanent Representative of Israel to the United Nations Office at Geneva on 22 March 2000, requesting that it be allowed to visit the occupied territories, and brought its request that it be permitted to do so to the attention of the Secretary-General. The Government of Israel did not respond to the formal request of the Special Committee.

2. Cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic

27. As in previous years, the Special Committee received the cooperation of the Governments of Egypt, Jordan and the Syrian Arab Republic, and of various Palestinian representatives.

3. Exchanges with other United Nations bodies

28. The Special Committee considers it necessary to note in its present report that when a United Nations body established by the General Assembly, such as the Special Committee, undertakes a mission to the field, it is mutually beneficial and necessary that there be exchanges of views with United Nations bodies with knowledge of relevant matters, the work of the Special Committee being part of the totality of a United Nations endeavour.

29. The Special Committee is particularly grateful for the very useful exchange of views it had with a representative from ILO while meeting in Geneva.

30. The Special Committee also wishes to record with much appreciation the cooperation extended by the United Nations Resident Coordinator/Resident Representative of the United Nations Development Programme (UNDP) in the Syrian Arab Republic, who met with the members of the Special Committee upon arrival, accompanied them throughout their meetings in Damascus and shared with them information of relevance.

4. Communications by the Special Committee

31. The Special Committee communicated with the Secretary-General of the United Nations and with the United Nations High Commissioner for Human Rights for the purpose of bringing to their attention the recommendations of the Special Committee in paragraphs 264 and 265 of its 1999 report (A/54/325).

IV. Observations and recommendations

32. A principal and recurring theme in the presentations made to the Special Committee was that the finalization of the peace process in a manner satisfactory to all concerned is, now more than ever before, of overwhelming importance.

33. The frustrations, tensions and often great anger of the people of the occupied territories, under the oppressiveness of an occupation that has continued for so long, was referred to by nearly all those who appeared as witnesses before the Special Committee. They spoke of the fact that there has been little or no relief from the pressures of continuous occupation, revealing a very unsatisfactory condition with respect to human rights.

34. On Friday, 29 September 2000, shortly before the final meeting of the Special Committee in New York for the adoption of the present report, violent disturbances, resulting in great loss of life and injuries, erupted at the Holy Places in East Jerusalem, spreading to the occupied territories of West Bank, Gaza and also to several Arab townships in Israel. The violence occurred following the visit to the holy Islamic site of Al-Haram Al-Sharif or the Dome of the Rock compound in Jerusalem of Ariel Sharon, leader of the opposition Likud party, accompanied by a very large party of armed Israeli forces personnel.

35. On 2 October 2000, the Chairman of the Special Committee received a communication from the Permanent Observer of Palestine to the United Nations Office at Geneva, drawing attention to the violence erupting, the loss of life among civilians, including children, and the use of greatly disproportionate force on the part of the occupying authorities. The Security Council convened on 1 October in emergency session to consider the situation.

A. Situation of human rights of the Palestinian people in the occupied territories: Gaza, the West Bank and East Jerusalem

36. The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, applies to Israel as the "occupying power", in the terms of the Convention, as reaffirmed by the High Contracting Parties participating at a Conference convened in Geneva on 15 July 1999. A number of persons appearing before the Special Committee expressed the view that it was important that the international community pursue with the Government of Switzerland, in its capacity as depositary of the Convention, the convening of a substantial conference on measures to enforce the

Convention in the occupied Gaza, West Bank and East Jerusalem.

37. As the Special Committee understands it, under the Declaration of Principles on Interim Self-Government Arrangements, signed on 13 September 1993 (A/48/486-S/26560, annex), and the subsequent related instruments (the so-called Oslo Accord and subsequent related instruments), the occupied Palestinian territories are divided into areas A, B and C, with allocations of responsibilities with regard to security and civil administration being vested between Israel and the Palestinian Authority, in ways specified in such instruments.

1. Restrictions relating to land, housing and water

38. Restrictions in the occupied territories of Gaza, the West Bank and East Jerusalem, with respect to land, housing and water, severely affect the Palestinians.

(a) Land

39. *Confiscation of land.* The information made available to the Special Committee confirms that confiscation of Palestinian-owned land, as noted in paragraphs 28 to 31 of the report of the Special Committee to the General Assembly at its fifty-third session (A/53/661), still continues. Although the scale of confiscation has not been revealed, unofficial estimates put the percentage of the West Bank land that had been confiscated at 41 per cent in 1984, 60 per cent in 1991 and 73 per cent in 1998. The current situation with regard to Area C appears to be that almost all the east side except Jericho has been confiscated, while on the west side perhaps half has been confiscated. Since the signing of the Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip on 28 September 1995 (Oslo II), confiscation has continued at the rate of about 37 square kilometres (0.6 per cent of the West Bank) a year.

40. *Establishment of new settlements and expansion of existing ones.* The Special Committee was informed that, during 1999, the Israeli occupation forces continued settlement activities throughout the Occupied Palestinian Territories. According to testimonies and reports received by the Special Committee, the number of Israeli settlements in the Gaza Strip totals 19, some of which are inhabited by no more than 10 people, while the total population of these settlements is about 5,000 settlers. The Israeli settlements are located in the most strategic areas of Gaza Strip, and include within their territories the most fertile land and most important water sources in the Gaza Strip.

41. The change of government in Israel and the fact that the Labour party, headed by Prime Minister Ehud Barak, has come to power has not changed the situation. After the elections, which were held on 17 May 1999, at the beginning of the month of October the Ministerial Committee on Settlements adopted a proposal by the Minister of Housing, Yitzhak Levy, to establish 2,600 settlement units in the West Bank. This escalation has been accompanied by an international Israeli campaign to mislead world public opinion. When the Israeli Prime Minister, Mr. Barak, announced his intention to take measures concerning 42 settlements that had been indiscriminately established, the Israeli media carried out full and intensive coverage of the occupation forces as they tried to demolish the settlements at one of the sites, on 10 November 1999. From among the 42 locations mentioned, the Israeli Government determined that only 13 were illegal.

42. A witness informed the Special Committee that since the election of the Israeli Prime Minister, Mr. Barak, there have been more permits issued to build on the settlements than under the previous Israeli Government headed by Prime Minister Netanyahu. About 3,200 permits have been issued in the past year to build new houses in the settlements. In the previous year, under the former government of Prime Minister Netanyahu, there were 3,000. So there is an increase of 200 under the Israeli Government headed by the current Prime Minister, Mr. Barak.

43. Following are several examples of instances of such settlement activities that were brought to the attention of the Special Committee:

(a) On 1 July 1999, settlers from Tel Qatif built new greenhouses in the settlements located alongside the Coastal Road, north of Der El Birah. By 27 July 1999, the settlers had completed the construction of 15 greenhouses on 30 dunums of land;

(b) On 13 October 1999, settlers surrounded with an electric fence 2,000 dunums of land from the Mawasi land in the Rafah and Khan Younis area, with a view to annexing the land to the settlements of Jadid, Gan Or, B'dullah and Atsumanah and expanding the borders of these settlements to the west.

44. It was also reported that in many cases the army has systematically assisted in protecting and supporting settlers in taking Palestinian-owned land:

(a) On 12 January 1999, a number of settlers, supported by Israeli soldiers, excavated about 5 dunums of land located at the Khan Younis beach. At the same time, other excavation activities were carried out on 2 dunums of land alongside an intersection leading from the coastal road to the El Satar El Garabi area;

(b) Since 9 December 1999, a non-governmental organization has documented settler bulldozers, backed by large Israeli forces, excavating and building a new settlement road connecting Khan Younis Mawasi land located alongside the ocean road running from Khan Younis City to the El Mawasi area in the south.

45. The Special Committee was also told that Israeli forces have used government lands for settlement rather than preserving them for the benefit of Palestinian civilians in the occupied Palestinian territories.

(b) Housing

46. The general situation with respect to housing as reported to the Special Committee seems to have remained very much as it has been in previous years and as described, in particular, in the Special Committee's 1998 report to the General Assembly (A/53/661).

47. Once again during the current reporting period, a number of persons who appeared before the Special Committee spoke of a severe shortage of housing in the cities and towns of Gaza and the West Bank, including East Jerusalem.

48. A witness informed the Special Committee that Israel invests enormous resources in building large Jewish neighbourhoods in East Jerusalem. At the same time, the Israeli authorities are choking off the development of the Palestinian population, which is perceived as a "demographic threat" to Israeli control of the city. Of the 70 square kilometres annexed to the Jerusalem Municipality after the Six-Day War, 24.5 km were expropriated, mostly from individual Arab landowners. This expropriated land has been used exclusively for the benefit of the Jewish population.

49. Over a third of East Jerusalem lacks town-planning schemes, making construction impossible. Those planning schemes that exist define vast land tracts as "green area", where building is forbidden. While some green areas are designed to protect the environment, others simply hold land in reserve for building for the Jewish population. This was the case at Jabal Abu Ghneim, for example. Initially defined as a green area to prevent the neighbouring Arab villages of Sur Baher and Umm Tuba from expanding, Jabal Abu Ghneim was subsequently rezoned for residential construction of the new Jewish neighbourhood of Har Homa.

50. In fact little is left after the expropriations, the green areas and the lands lacking a planning scheme. Palestinian building is only allowed in 7 per cent of East Jerusalem, and already-existing Palestinian neighbourhoods comprise most of this area. Even in these neighbourhoods, however, town planning schemes limit growth by setting low building percentages. For example, an Arab owning a 1,000 square-metre-plot of land may obtain a permit to build a two-story building of 250 square metres. A Jew owning the same size plot could build a four-story building of 2,000 square meters. Israel has succeeded in creating an enormous Jewish population in East Jerusalem, while reducing the Palestinian population. In 1999, in East Jerusalem, there were some 43,000 homes in Jewish neighbourhoods, all built on expropriated land. By contrast, there were 28,000 homes in Palestinian neighbourhoods.

51. Israeli policies have created a housing shortage in Palestinian neighbourhoods and exacerbated overcrowding. Nearly one fourth of Palestinian homes in the city are extremely overcrowded, a phenomenon that is virtually absent among Jews. The housing shortage among Palestinians in Jerusalem exceeds 20,000 housing units.

52. Denial of building permits is one of the reasons that led to the current situation. The Special Committee was told that between 1968 and 1974, only 58 permits had been reportedly issued, and the long process of drawing up outline plans had the legal effect of virtually freezing development in the Palestinian neighbourhoods during that time. In recent years, about 150 permits per annum have been issued. The total number of permits issued since 1967 stands at around 2,950.

53. Land owned by an "absentee" is not given a building permit. This applies even to land which is held in joint ownership, with one of the owners an absentee. This is a particularly harsh situation in East Jerusalem where the term "absentee" includes those with West Bank resident status. Since the boundaries of annexed Jerusalem were drawn to include open land to exclude the nearby towns whose people owned that land, a great deal of land supposedly available for Palestinian development is refused a permit because the owner has the wrong colour card.

Extent and significance of demolitions

54. As the Palestinians continued, because of pressure for accommodation, to construct new houses or to expand existing houses, the subject of the demolition of houses has acquired particular sensitivity. Demolitions of Palestinian houses have continued throughout the period under review.

55. Living as they do in overcrowded conditions, with no hope of obtaining a building permit, it is easy to understand why Palestinians build illegally. They do so, knowing they will forever live in uncertainty that, after investing their life savings to build, their home may be demolished. Both Jews and Palestinians build illegally, yet the response of the Government is not equal. While Palestinians are responsible for less than 20 per cent of illegal construction, nearly two thirds of demolitions are carried out on Palestinian houses. Over the past eight years, the Municipality and the Interior Ministry have demolished 198 Palestinian houses. In 1999 alone, 131 people, including 68 children, lost their homes.

56. Most of the land adjacent to Palestinian neighbourhoods either lacks planning schemes or is defined as green areas. In both cases, building is prohibited. Palestinians who attempt to obtain permits to build in these areas, even on land which they own, will be rejected. Palestinians are also unlikely to obtain permits to add on to existing houses because of the low building percentage allowed in Palestinian neighbourhoods.

57. According to one witness, from the beginning of 2000 until 23 April 2000, Israeli forces demolished 27 residential buildings, and the number of people thereby disadvantaged — the members of families who owned the buildings that were demolished — reached 170. As at 10 May 2000, Israel had confiscated 12,740 dunums of land, uprooted 1,411 fruit trees and destroyed more than 3,000 dunums of land. For example, on 10 May 2000, 20 inhabitants of Dair el Hatab, in the northern part of the West Bank, were injured when soldiers from the Israeli army fired at them while they were trying to defend their land.

58. Confiscation is carried out by issuing notices in Arabic and Hebrew; they are not handed to the inhabitants. The building of bypass roads to ensure the safety of the Israeli settlers in the territory of the West Bank often results in confiscation of land and house demolition. At Dur el Kalar, bypass road construction will probably lead to the confiscation of 13,016 dunums of village land, out of a total area of 14,016 dunums; in other words, only 1,000 dunums will remain. A witness provided the Special Committee with photographs of that agricultural land, which is very fertile and very well known, and supplies the entire region with various kinds of vegetables.

(c) Water

59. In view of its natural scarcity and the manner of its utilization by the settlements, water was described as posing one of the most serious problems for the Palestinians. The Special Committee was told that, on average, Palestinians receive one fourth the amount of water that the Israelis receive. It is not enough. There are about 200 villages that are not connected to the water supply at all.

60. The Special Committee was also informed that Israeli forces continue to seize water resources. In this regard a witness mentioned that Arab inhabitants of the West Bank are allowed to use only 110 million cubic metres of the estimated 800 million cubic metres of water supplied to the West Bank annually. The rest is used by the Israeli settlements and the State of Israel. Large amounts of water are being diverted for Israeli use. For example, 5,000 settlers residing in a part of Al-Khalil daily obtain between 5,000 and 6,000 cubic metres of water, while the amount allotted for the city's estimated 100,000 inhabitants is only 6,000. As a result, many of the city's districts go without water for months at a time, and even for up to three months, as is the case in the summer.

61. Areas close to the coast and known to be fertile with underground water have also been seized by Israelis, including settlers. A total of 3,500 dunums have been confiscated in the very fertile area of

Mawasi, in Khan Younis, and more than 45 wells have been taken away from the Palestinians by Israeli settlers, who pump the water for the Negev, in the south of Israel, from areas that were occupied in 1948. Palestinians are not allowed to use this water; it is exclusively for Israelis.

2. Relations with settlers

62. The Special Committee was informed that relations between settlers and Palestinians were extremely sensitive and tense, and at times of crises, reached higher levels of intensity and violence. Thus the relation between settlers and Palestinians appeared to the Special Committee to be one of the most fundamental and unfortunate consequences of the occupation.

63. The Special Committee was informed that the condition of these relations was caused by such factors as the confiscation of land, the uprooting of olive trees, some of them centuries old, the scarcity of water and the privileged position settlements seemed to have with respect to water, for domestic and agricultural use, the fact that settlers carried arms and lived in barrier-enclosed areas and the support provided by Israeli authorities and their army and law-enforcement agencies.

64. Many witnesses referred to the situation in Hebron where 20 per cent of the area within the municipal boundary is under Israeli control, but is inhabited by at least 20,000 Palestinians and only 450 Israeli settlers. To ensure the safety of the settlers, the Israeli occupation is maintaining a large military and police force in that part of town. Rather than guaranteeing the security of all citizens, it was reported that the Palestinians are not at all protected from settlers' attacks.

65. Witnesses appearing before the Special Committee provided the following examples:

(a) On 6 March 2000, Israeli settlers living in the centre of the city, together with some of their supporters from other settlements, started protesting against the reopening of a Palestinian gas station in Al Shohada Street, in the centre of the city. When the owner of the gas station and his workers arrived, he was threatened by the Israeli settlers in the presence of the Israeli police, which did not take any action. The demonstrations lasted one week. On the second day, 7 March, a Palestinian reporter, Ms. Kauthar Salem, was beaten up by the settlers. They spat on her and molested her to the extent that her papers fell to the ground. The police took no action in this case either. On the third day, a Palestinian press photographer, Hussam Abu Alan, arrived on the scene. An Israeli settler, a well-known woman by the name of Anat Kohen, attacked him and pulled at his camera, separating the lens from the body of the camera. He was attacked also by other settlers' children, who pulled his bag and emptied out all the films it contained. The Israeli police on the scene reacted passively: they called their superiors and explained what happened without taking any action against the settlers. On 12 March, the Israeli police spokesman declared on official Israeli radio that some Israeli children had attacked the gas station and caused some damage. They declared that the identity of some of them was well-known to the police, but still they took no measures regarding the settlers.

(b) Another incident was reported to the Special Committee concerning a Palestinian taxi driver, Bilal Fayez Maswadi, on 21 January 2000, while he was driving on Shohada Street. Israeli settlers stopped his car, dragged him out and beat him severely. He was transferred, unconscious, to the Palestinian hospital in town. This happened between two Israeli checkpoints less than 80 metres apart. The driver complained to the Israeli police. Even though some of the attackers were well known to the driver and to the soldiers at the checkpoints, no measures were taken against the settlers. The taxi driver added that whenever he drives on that street, his car is stopped and searched in a humiliating way.

(c) On 25 December 1999, a young Palestinian man, Hammeid Dessat, was walking down Old Shallaleh Street (in the heart of town), which is nearly 4 metres wide, when he was hit by a metal bar about 30 centimetres long, thrown from a balcony by settlers living in the same street. The sharp point of the metal bar entered his skull to a depth of nearly 5 centimetres. No investigation took place following the incident. Palestinian shopkeepers on that street said that the settlers were always throwing things at them from the balconies upstairs: stones, rubbish, rotten vegetables. This happened constantly, and the Israeli forces did not take any action.

3. Environmental concerns

66. As Israeli settlements in the occupied Palestinian territories are usually located on hilltops, spring water used by Palestinians has often been polluted by sewage water from the settlements or army centres.

67. The Israeli occupying Power and the settlements established on Palestinian lands have been using Palestinian territory to dispose of solid and liquid wastes coming out of factories. This has led to the destruction of thousands of dunums of agricultural land and crops, and has made it impossible to put those lands to any agricultural use. In addition to wastes from the settlements, factories and industrial centres established within the settlements are trying to pump their wastes into adjacent Palestinian areas. They do so without at all taking into consideration the consequences of this on the environment and on Palestinian citizens living nearby. A high percentage of those factories and establishments are involved with the chemical industry, namely, with fertilizers, cement, car batteries, mining and insecticides. These industries have to abide by very exact and scientific methods that are internationally recognized as appropriate for the disposal of such wastes. Those substances have a destructive effect on the environment if disposed of improperly, for they contain mercury, cadmium and other harmful elements.

68. It is worth noting that many of these factories have been established in Israeli settlements because they were not able to obtain permission to operate in Israel because of their harmful impact on the environment and the threat they pose to the health of the population. For example, the fertilizer and insecticide factory located in Jashuri was established in the Tulkarm settlement after it had been prevented from operating in the Israeli city of Natanya because of the danger posed by the disposal of its wastes.

4. Controls and restrictions on movement

69. The permanent state of closure of the occupied territories continues to be applied and the movement of the population of the occupied territories continues to be regulated through permits allowing them to access different parts of the territories. This policy is even tightened during Jewish holidays and in case of security incidents in Israel. On such occasions, access to Israel and movement between the occupied territories is blocked.

70. Many witnesses continued to report that movement is regulated through the policy of permits and magnetic cards, the latter being a requirement especially for the male inhabitants of Gaza and Palestinians working in Israel. Permits are also required for the use of the safe passage between the Gaza Strip and the West Bank. Since Israel has full control over the safe passage, numerous requests for its use have been refused. According to witnesses which appeared before the Special Committee, from January to April 2000, between 30 and 40 per cent of the total requests for the utilization of the safe passage were rejected.

71. In addition to the above, an extremely serious recent development regarding the freedom of movement is the construction under way of the so-called "Erez II" checkpoint near Bethlehem which will de facto separate the northern part of the West Bank from the southern part. This is further compounded by the fact that non-resident Palestinians need a permit to enter Jerusalem.

72. Furthermore, Israel continues to impose restrictions on movement between areas which are under the rule of the Palestinian Authority, either within the West Bank or within Gaza. With respect to Gaza, a witness mentioned that there is a main corridor that cuts from the north to the south of Gaza, that is to say, from the Israeli border to the Egyptian border. This corridor is full of settlements and military checkpoints. Any settler with a gun could cut off one part of Gaza from another.

5. Judicial and extrajudicial measures

(a) Administrative detention

73. With regard to administrative detention, the Special Committee was told that, in 1999, Israel continued imposing administrative detention against Palestinian detainees. A positive development regarding detention during the period under review has been the decline in the number of Palestinian administrative detainees. At the beginning of 1999, about 100 Palestinian detainees were under administrative detention in Israeli prisons; at the end of 1999, that number had been reduced to 14. The oldest one is Abdel Qader Idriss, 37, who was detained on 22 December 1994 and sentenced to 30 months by an Israeli military court. When he completed his sentence,

he was placed in administrative detention. Idriss is the father of two sons, Huthaifah, 9, and Jannate, 5.

74. In July 1999, amendments were introduced to the law governing administrative detention. According to a military order issued at that period, it is now possible, during the first 10 days of administrative detention, to bring the detainee before a committee under a military judge in order to ascertain whether the order, or the time period of the detention, is legal. The problem is that the intelligence services do not respect the decisions adopted by that committee and can override the decisions of judges concerning extensions of detention. One witness mentioned the case of Mr. Daraghmi, an administrative detainee who remained under administrative detention for more than four years. The judge sitting in the appeal committee requested the intelligence services to produce new evidence proving the necessity of keeping him detained or explaining the dangers of his liberation. The intelligence services reportedly ignored the request, and the case of Mr. Daraghmi was then transferred to the Supreme Court. He was finally released after the ruling of the Supreme Court.

75. The Special Committee was also informed about other cases of detainees who served their sentences in prison and were then transferred to administrative detention. In 1999, three detainees were transferred to administrative detention after serving their sentences. Usually, the prison management informs the detainee, the night before his release, that he is going to remain under administrative custody or that he is going to be transferred to administrative detention. On 2 March 1999, in Megiddo military prison, many detainees protested against this practice. The prison administration responded by spraying them with tear gas and beatings.

(b) Imprisonment and conditions of imprisonment

76. There are approximately 1,500 Palestinian detainees currently held in Israeli jails. According to the Palestinian Prisoners Club, 200 Palestinian detainees are being denied family visits. Israeli authorities were using various pretexts based on security concerns to prevent a number of Palestinian detainees from visiting their families. Some detainees were not allowed to receive family visits for periods of up to a year. For example, in 1999, Israel adopted a new measure that prevents second- and third-degree relatives from visiting their family members in prison. This has had a great effect on the non-Palestinian detainees, that is, Arab detainees and political prisoners who are not Palestinians and who are inside Israeli prisons. Those non-Palestinian detainees receive visits only from the Palestinian families who have adopted them in order to follow up their cases and provide them with some of the daily necessities of life. After several protests, in the last quarter of 1999, the prison administration management allowed only the non-Palestinian Arab prisoners to receive visits by the Palestinian adopting families. Some of those detainees have been denied family visits. One witness mentioned the case of Mr. Ateyah Hassan Abu-Assab, 32 years old, who was detained in 1994. For a year and half his brothers have not been allowed to visit him, and for seven months his 68-year-old father and wife have also been denied permission to visit him. Only his four children, all of them under 12 years old, were allowed to visit him. The children used to travel from the occupied territories to Israel with Red Cross buses as none of their family members has a permit to enter Israel and accompany them. Another witness informed the Special Committee that in the newly built prison at Hadareen, families have been prevented from visiting detainees for up to six months. Visits take place via telephone, between a thick glass partition, that separates detainees from families. Eighty persons are held in Hadareen prison, in nearly total isolation from the outside world.

77. Furthermore, during 1999, the prison administration adopted measures against Palestinian lawyers members of the Palestinian Union of Lawyers. When visiting their clients, a policeman must be present, sitting not far from where the meeting is being held, enabling him to listen to the conversation. This method contravenes all the laws governing legal representation, but Israeli's authorities argue that Palestinian lawyers do not have the right to defend before Israeli courts and therefore they should be considered as family members visiting the detainee.

78. Speaking about health conditions inside prisons, a witness informed the Special Committee that a state of medical negligence prevails, negligence on the part of the prison administration and management with regard to the Palestinian detainees. A medical care facility is installed in every prison, but doctors are available for consultation once or twice a week. Detainees have also to wait for several months before being transferred to a proper hospital for the necessary medical tests and

examinations. Food quality has been described as very poor, to the extent that most of the Palestinian detainees buy their own food.

79. On the question of education, Palestinian detainees are not allowed to continue their degree courses while in detention unless they want to pursue them through any of the Hebrew universities; they are not allowed to associate themselves with any Arab universities. Juveniles receive only four hours of tuition a day, and the education programme is the Israeli one, not the programme applied in the occupied Arab territories.

80. It was also reported that there is a clear policy of discrimination between the Israeli Arab detainees — Palestinians with Israeli nationality — and Jewish Israelis. For example, Israeli Arabs are not allowed to use the telephone. In general, life sentences for Jewish detainees are much shorter than those applied to Palestinians with Israeli nationality — Israeli Arabs.

81. Other witnesses informed the Special Committee that Israeli authorities resort to security arguments to isolate the "political detainees". The Special Committee was informed that Hassan Salami, after serving his sentence, was detained and isolated from other prisoners for a period of four years. Other detainees have been isolated for periods ranging from one and a half to three years. When prisoners are isolated or held incommunicado, they are allowed out of their cells for only one hour a day, during which time their feet and hands are tied. According to those who are isolated, they are often not allowed to receive family visits, under various security pretexts. One witness referred to the case of Abdul Nasser Isa, who was isolated between June 1998 until the end of 1999. During that period, he was prevented from receiving family visits. During 1999, about 62 Palestinian detainees were held in isolation.

82. In 1999, the prison authority management carried out extremely humiliating inspection and search campaigns in all the prisons where political detainees and prisoners were kept. For example, on 14 February 1999, in Beersheba prison, the administration stormed a section where the political prisoners were kept, forcing them to completely take off their clothes, to strip naked. All detainees who refused to be searched under those circumstances were beaten up. This very humiliating search method was also applied to all prisoners who were leaving the prison, either on their way to court for a hearing or to hospital for treatment, and upon their return. This particular method, stripping the detainees and frisking or searching them naked, was slightly relaxed by the prison authority management following the decision by the detainees to engage in a strike and to boycott all court appearances as well as medical examinations.

83. As a result of the continuing deterioration of the living conditions within Israel's prisons and detention sites, all detainees and prisoners joined an open hunger strike in early May 2000. The hunger strike, "Freedom or Martyrdom", developed as a protest against the deteriorating conditions in prisons and detention centres. As a result of the hunger strike, the management of the prison administration authorities adopted a number of measures to further escalate the situation, instead of alleviating it. It segregated 10 people from the Hadereen prison and moved them to the Ashkelon prison, where they are continuing their hunger strike. At the same time, several of the detainees have been transferred to hospitals and clinics inside the prisons owing to their ailing health. The hunger strike was still ongoing during the Special Committee field visit in the region.

84. Treatment of women detainees is reportedly no different from that of the male inmates. A witness informed the Special Committee that, in 1999, two Palestinian females were detained. The witness followed up the case of one of them, Monna Kaa'dan, who was questioned for 28 days in the Al-Jalami detention centre. During that time she was frequently — almost continuously — suspended by the arms, deprived of sleep and subjected to threats such as detention of other members of her family or bringing her detained brother to assist during her questioning sessions. She was often placed in cells with girl collaborators. Finally, she was released without any charges being brought.

85. Another witness informed the Special Committee that there were currently five female detainees or prisoners who have been sentenced. They are kept in the same section as the Israeli Jewish common-law prisoners and are subjected to attacks and harassment on a daily basis. Although the internal prison law stipulates that common-law prisoners must be separated from "the security or political prisoners", the prison authority of Nivi Tirtsa refuses to separate the Palestinian women prisoners from the common-law Israeli Jewish prisoners. In 1999, the prison authority

of the same prison also reduced the number of daily recreation hours from 4 to 2 hours. More than once, the female detainees were searched and their personal possessions confiscated from their rooms. They are not allowed to use the telephone. The visiting time they are allowed with their families is half an hour, instead of 45 minutes. Families are often harassed and delayed when they come to visit the girls. Another detainee, Ms. Nisreen Taha, who suffers from an acute psychological condition, has been isolated and kept away from the other female inmates for very lengthy periods of time. It was only after her appearance before the court that she was reinstated again with the other female Palestinian detainees.

(c) Use of force

86. The Special Committee noted that Israel was a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[7] having ratified the Convention in 1991.

87. On 6 September 1999, the Israeli Supreme Court of Justice ruled that the interrogation methods used by the General Security Service (GSS) are illegal and forbidden. The justices adopted the argument raised by jurists and human rights organizations opposing interrogation methods permitted by the Landau Commission. They ruled that GSS has no authority to use physical force during interrogations, and that such acts are illegal. However, the justices stated that "if the State wishes to enable GSS investigators to utilize physical means of interrogation, it must seek the enactment of legislation for this purpose".[8] In other words, the decision bans the practices because of the lack of a legal text that could be invoked. In this respect, a number of witnesses mentioned that, following that decision, there have been continuous efforts to enact legislation that would allow physical force to be used during interrogations. A number of observers were therefore under the impression that the decision was a clear call to the Israeli legislature to pass laws allowing investigators of Israeli intelligence to utilize torture.

88. That is indeed what happened when the Government appointed a committee, headed by the Deputy Attorney General, several days later. The Likud bloc in the Knesset introduced a draft law to allow Shabak investigators to use bodily pressure and banned methods of questioning and torture. The draft law also gives the investigators immunity as they carry out these practices. On the political side, the Israeli Government has been pledging to confer immunity on the investigators. Ami Ayalon, the head of the Shabak, held a special meeting on 15 February 2000 at which were present Prime Minister Ehud Barak, Deputy Minister of Defence Premi Snee, Minister of Justice Jusy Belem, the Government's Legal Counsel, Eliakim Rubenstein, and the State Prosecutor, Edna Arabiel. Mr. Rubenstein pledged at that meeting that legal protection would be provided to any investigator who used special methods in certain cases, namely, torture.

89. Before the adoption of the above decision, the intelligence investigators had relied very heavily on the Landau Commission directives, which allowed the intelligence service to utilize moderate bodily pressure, and that particular licence was extended every three months. The Israeli Supreme Court of Justice has now decided that such permits are null and void. Since that decision was taken, the intelligence investigators have not been allowed to utilize those methods, as determined by the Court: violent shaking, sleep deprivation, continuous suspension by the arms with only a small chair for support, exposure to loud music and covering the head with a dirty bag.

90. One member of an NGO assisting Palestinian detainees has been monitoring 117 cases of detainees who are being questioned in Israeli prisons. Prior to the adoption of the Supreme Court of Justice decision, the Israeli authorities, the intelligence services, frequently resorted to methods of torture while questioning the majority of Palestinian detainees. According to their testimony, more than 90 per cent of the Palestinian detainees were subjected in one way or another to different means of torture, such as continuous suspension by the arms with only a small chair for support for periods exceeding 48 hours, the technique known as *shabeh*; sleep deprivation; covering their heads with dirty paper or cloth bags; exposing them to music played at a very high volume; and occasional beatings. During the time they were questioned, many detainees were compelled to remain either standing or squatting on the floor for long periods of time. Often, the detainees were made to sit in chairs in very uncomfortable positions, resulting in pain. Other methods such as violent shaking, by which the investigator would grab the detainee by the collar of his shirt, shaking him violently for one minute or longer, were also used. In a number of cases, this

method led to the death of the Palestinian being questioned.

91. Since the adoption of the Israeli Supreme Court decision in September 1999, witnesses referred to a number of developments.

92. First of all, there has been an escalation in the practice of preventing lawyers from visiting their clients. According to the military orders and directives, the intelligence services can prevent lawyers' visits for interrupted periods that can range anywhere from 30 to 60 days. After the first 15 days, the services need an order from a military judge in order to suspend visiting rights. After the adoption of the Supreme Court decision, it has become routine to use this measure against all the detainees. Hence, the detainee will largely be isolated from the outside world and open to all forms of psychological pressure, because the Supreme Court did not consider psychological pressure to be a form of torture.

93. Secondly, the Special Committee was informed that agents and collaborators are increasingly being used by the intelligence services to exert pressure against detainees under questioning. . The collaborators themselves are not bound by the decision of the Supreme Court of Justice, and therefore they often beat up the detainees or threaten them if no confessions are forthcoming. It has also become a routine practice for the detainees to find themselves in cells in which collaborators are also being kept. This method exposes the detainee to great psychological pressure, fearing accusations of being himself a collaborator and threatened with "exposure", something which would cause many problems for him if he were released, or to threats that his family will come to great harm.

94. Thirdly, for security reasons and in order to protect the life of the investigator, the investigator has still the right to tie up the detainee during the various rounds of interrogation or investigation. They tie the detainee to a chair — an ordinary chair, not a small chair, as before, but still an uncomfortable chair — from 8 a.m. to 9 p.m. or 10 p.m. According to the detained persons whose cases were followed by the NGO, the chair is narrow and ridged at the back to allow for a metal ring to be attached through which the rope passes with which the detainee is tied up. The detainee still suffers, therefore, by being tied to such a chair for periods of seven or eight hours a day.

95. All witnesses stated that the Court decision is a positive step and that, at first, it appeared to be an attempt to put and end to torture, which was routinely used at the time in Israeli prisons during investigations. But, through the constant follow-up of many cases since the adoption of the Supreme Court decision, they have come to believe that the intelligence agents and investigators are trying somehow to circumvent it and are also concerned that the decision might lead the enactment of legislation that would allow GSS to continue to use coercive measures during interrogations.

6. The situation of Palestinian workers

96. Witnesses emphasized the extent to which administrative security measures hampered the development of industrial and commercial activities by Palestinian employers. The requirement for businessmen or trucks to have a permit to cross into Israel had a negative impact on the development of the Palestinian economy, investment and hence employment. Witnesses reported to the Special Committee that the Israeli authorities continue to impede the movement of trucks carrying Palestinian goods and products despite the fact that those items meet all Israeli established standards. As a result part of the products were lost owing to the long period spent at checkpoints. For example, in April 1999, the Israeli authorities prevented 100 trucks, carrying fruits, vegetables and flowers, from using the Erez checkpoint. As a result, most of the items were damaged. On 24 May, Israeli authorities stopped three trucks at the Erez checkpoint, carrying 5,000 chickens owned by Palestinians who were trying to take them to Hebron. Because of the heat, most of the chickens died while trucks were waiting at the checkpoint.

97. Driven by the need to earn a decent income or even to find a job, a large number of workers in the territories have turned to the Israeli labour market; however, witnesses stated that the situation of the Arab workers of the occupied territories had not improved. They recalled that Palestinian workers continue to be humiliated at the Israeli checkpoints, where they are forced to leave their bus and subjected to searches. On some occasions, workers have also been arrested from checkpoints. Reference was also made to the working conditions of Palestinian workers employed in Israel; in particular, their long workdays resulting, inter alia,

from the time spent at the checkpoint leading in from Gaza.

98. Working conditions in the settlements were also described as very complicated because of the lack of clarity of the legislation applicable to the settlements, which were still being established and extended. According to witnesses, Palestinians working in the settlements do not enjoy any protection and benefits such as health insurance or pension funds.

(a) The case of Palestinian fishermen

99. The Special Committee was informed about the situation of fishermen in Gaza. It was reported that between 2,500 and 2,600 fishermen, who supporting economically no less than 18,000 other individuals/family members, are allowed to fish only within a perimeter of 20 nautical miles out to the sea. The area within this perimeter, which was agreed upon in the Declaration of Principles between Israel and the Palestine Liberation Organization, is also used for recreation and other economic activities.

100. Palestinian fishermen are facing serious restrictions on the way they conduct their daily work. Israeli authorities have imposed a system of permits and have determined the hours and dates for fishing as well as the hours for sailing. Palestinian fishermen are not allowed to sell their products in the West Bank or in Israel, while this option is open to the settlers who engage in fishing. The latter may market all of their catch anywhere they choose.

101. Israeli settlers in the Gaza Strip, in possession of Israeli fishing permits, also have the right to fish in that limited area referred to above (para. 99). They are given ample latitude to engage in natural fishing but also to utilize the most advanced and sophisticated fishing techniques, whereas the Palestinians do not enjoy those same rights. This has exacerbated the already serious competition between Palestinian fishermen. Moreover, the Special Committee was told that sometimes the area of the sea in which they are allowed to fish is totally closed to them by the Israeli navy.

(b) The case of Palestinian journalists

102. The Israelis have been hampering the work of journalists by limiting their freedom of movement or preventing them from disseminating information inside or outside the occupied territories. The number of closures of areas to journalists by order of the Israeli military from 1994 to 1999 was around 2,100. After the conclusion of the Declaration of Principles between Israel and the Palestinian Authority, the number of closures increased by 230 per cent. Such was also the case with attacks against journalists. From 1993 to 1999 there were 1,617 instances of aggression against journalists. In other cases, newspaper offices were also closed and the equipment confiscated or destroyed. Many of the journalists have been arrested.

7. Education

103. A witness working in the field of education provided the Special Committee with detailed testimony, corroborated by pictures, on the conditions under which Palestinian girls and boys are undertaking their studies in East Jerusalem. There are three kinds of schools in East Jerusalem. The first and largest in number is the type administered and supervised by Israel, either by the Israeli Ministry of Education or by the Israeli municipality. The second kind is private schools. The third kind is those administered by the Islamic *waqf*, or religious trust foundations.

104. For the academic year 1999, there were a total of 47,360 boys and girls in all East Jerusalem schools. Of those, 27,815 were in schools under Israeli administration, either of the municipality or of the Ministry of Education. This figure constitutes 58.8 per cent of the total number of students. The total number of children in East Jerusalem under the age of five years, who are just about to start primary school, is about 62,000.

105. One of the problems the pupils are facing in public schools is the inadequacy of the premises and the shortage of classrooms to accommodate the number of pupils. Some public schools are located in residential buildings, sharing the premises with families living in those buildings. Owing to lack of space, classrooms are also located on verandas, which are very cold in winter and very hot in summer. As many as four students share a common desk in the classroom. A total of 33 boys may share eight or nine desks in a room measuring approximately 3 x 4 metres. The situation is similar in another girl's school called Al-Essawiyeh, in an East Jerusalem neighbourhood. The school consists of four buildings, which are also used by its regular residents. A bomb shelter, without ventilation, is used as a classroom. In the classrooms, pupils must crawl over the tables in order to move to

the blackboard, owing to lack of space between the desks. It is also impossible to open some of the windows of the classroom because of the lack of space. Bathrooms in both schools visited have broken doors and windows. Outside one classroom, there is a narrow passageway filled with trash in which rats and cockroaches live and breed. High schools in East Jerusalem, such as Rachidia Boys' High School, do not provide optional studies such as a technical or vocational curriculum. As far as facilities in Rachidia are concerned, the library has a pleasant atmosphere but consists only of two walls of shelves that are not even as high as the ceiling. The computer lab consists of 16 outdated computers, one computer for every 75 students. Of course, there is no Internet access.

106. Poor hygienic conditions led in 1999 to the death of one pupil from meningitis at a government school in East Jerusalem. The Special Committee was told that the father of the dead child explained that his son initially had a fever but was refused admission to two Israeli, Hadassah hospitals on grounds that there was no room in the emergency units. He was therefore taken to Makassed Hospital, an Arab hospital in East Jerusalem, but it was too late to save his life.

107. Witnesses continued to report that the Ministry of the Interior in East Jerusalem continues to restrict the registration of newborn children and the issuance to them of new Jerusalem identification cards. As a result, up to 23.6 per cent of children are unable to register at government schools in East Jerusalem. This is often the case for many Arab families whose rights to live in the city of Jerusalem have been cancelled through the confiscation of their identification cards.

B. Situation of human rights in the occupied Syrian Arab Golan

1. Background

108. As has been observed in previous reports of the Special Committee, the Golan has been occupied since 1967. On 14 December 1981, Israel decided to impose its laws, jurisdiction and administration on the occupied Golan; this was in effect an annexation of the territory.

109. On 17 December 1981, in its resolution 497 (1981), the Security Council considered the annexation null and void.

110. In its resolution 53/57 of 3 December 1998, the General Assembly decided that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purported to alter the character and legal status of the occupied Syrian Golan were null and void, constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and had no legal effect. The annexation also has not been accepted or recognized by the Arab population of the Golan.

111. Thus the annexation has never been recognized by the United Nations.

2. Consequences of the occupation

112. As the occupation of the Golan has extended over a long period of time, the consequences of the occupation, in terms of its effects on the occupied Golan and its population, have been extensive, affecting all aspects of life and families, villages and communities.

113. Syrian government officials with whom the Committee met emphasized that the occupation itself was one of the most serious forms of human rights violations and that for the violations to end the occupation itself had to be terminated. They stated that the situation of human rights had not improved in the course of the reporting period. One official described the Syrian Arab people in the occupied Golan as hostages of the occupying authorities.

114. The Special Committee was informed that not only did the occupation involve daily suffering of the population living under occupation, but their identity and culture were also at stake. The Committee was told that information about the situation in the occupied Syrian Golan had been obtained principally by telephone, through conversations over the megaphone and on the occasion of meetings in Jordan of family members living on different sides of the demarcation line.

115. The Special Committee was informed that there had been no change in Israeli policy regarding the occupied Golan, that the number of settlers had increased and that existing settlements had been expanded during the period under review. No new settlements had been established, however.

116. Relations between the settlers and the Arab population of the occupied Golan were tense and often of a violent nature, in particular where there were settlements located close to Syrian villages. The attention of the Special Committee was drawn to the fact that all settlers were armed, while the Arab inhabitants of the occupied Golan were not allowed to carry weapons, and that, for example, the settlers shot at cattle if they grazed close to settlements.

117. There were numerous instances in which the attention of the Special Committee was drawn to the widespread nature of the consequences of the occupation: the intention of the Israeli authorities to increase significantly the number of settlers, persistent Judaization of life in the occupied Golan and falsification of history at the expense of the Arab population.

118. There were also widespread economic consequences of the occupation. The economic constraints exercised by the Israelis over the occupied Golan were also shown, the Committee was informed, in the lack of equal employment opportunities, heavy taxes, fixed low prices imposed on apples, the main agricultural produce, arbitrary arrest and detention and inadequate health care. Deterioration of the environment caused by the Israeli authorities has resulted from the uprooting of trees, burning of forests, chemical residue from Israeli factories and waste from settlements.

119. Settlements compete with Syrians in economic terms in the area of agriculture, the principal activity of the Arab population of the occupied Golan. The competition is rendered more uneven by the restricted access of the Syrian inhabitants to water compared with the settlers. A Syrian farmer has to pay $1,500 to irrigate 1 dunum, which is often in excess of what his crop would yield. The cost of pesticides for Syrian farmers also often surpasses the financial yield of their crops.

120. The economic situation of Syrians in the occupied Golan is compounded by the lack of job opportunities. Many qualified Arabs from the occupied Golan are employed in menial jobs and are sometimes dismissed arbitrarily by their Israeli employers. Many workers are never paid or are not paid in full.

3. The particular problem of long-separated families

121. One of the principal negative impacts of the occupation of the occupied Syrian Golan has been the separation of families who live on either side of the valley constituting the demarcation line. One witness said that he had not seen his family since 1967. The Special Committee spent almost an hour at a point opposite the village of Majdal Shams, in the occupied Syrian Golan, a point from where exchanges through megaphones between long-separated family members and other relatives regularly take place. The Special Committee was told that the communication was very inadequate because even through a megaphone it was faint and far from satisfactory. Telephone connections existed but were costly. Syrians from the occupied Golan could call the Syrian Arab Republic but the opposite was not possible.

122. The Committee was told about emotional exchanges of this type between close family members in the past that have on occasion resulted in the death of an elderly parent. The separation of families is particularly painful in the event of a death of a relative.

123. Witnesses also complained that Syrian detainees from the Golan were detained at a considerable distance from their place of residence, which made family visits difficult. However, a recent positive development is the issuance by the Israeli authorities of permits to travel to Jordan for five days where Syrians from the occupied Golan can meet their family and relatives living in the Syrian Arab Republic. Permits are issued for Jordan only.

C. Official communications received by the Special Committee

124. The Special Committee was provided with extensive documentation by the Governments of Jordan and the Syrian Arab Republic reflecting the views of those Governments on the situation in the occupied territories. In order to provide insight into what the reports contained, the Special Committee reproduces below the full documents as received from the Government of Jordan and the Government of the Syrian Arab Republic.

1. Jordan

125. During its visit to Amman, the Special Committee received a report from the Department of Palestinian Affairs of the Ministry of Foreign Affairs of Jordan. The English translation of the full document as received in Arabic is reproduced below:

"Introduction

"The Israeli authorities continue to escalate the repressive measures taken at every social, economic and religious level against Palestinian citizens and their property in the occupied territories, using all manner of practices to impose their control by occupation in an effort to gain time and impose a fait accompli before a solution is reached in the final status negotiations with the Palestinians.

"Between May 1999 and the end of May 2000, by carrying out their settlement ambitions, strengthening settlement, expropriating Palestinian land and infringing on various occasions the agreements signed with the Palestinian National Authority, the Israeli authorities violated the human rights and property of the Palestinian people in several respects and divested it of its right to live in peace. In addition, they engaged in measures which constitute a gross violation of the Charter of the United Nations, international law and the Fourth Geneva Convention, such as, inter alia, demolishing homes, opening fire on Palestinians, uprooting fruit-bearing trees and constructing bypass roads.

"During the above period, *16 Palestinians were killed*. In addition, the Israeli authorities continue to hold over 1,700 detainees in custody. Of these, 14 are in administrative detention, 18 are under 18 years of age, 250 are elderly persons suffering from a variety of illnesses, 150 are serving life imprisonment, 200 are from Jerusalem, 24 are from inside the Green Line and 180 are from the Gaza Strip.

"*The Israeli authorities also demolished 53 houses*, 44 of which were inhabited and nine of which were under construction. They further demolished over 28 outdoor shelters, a large area of meadow and a sheep pen.

"*The Israeli authorities expropriated over 48,904 dunums* of land from the West Bank and Gaza in order to establish new settlements, expand existing settlements, build bypass roads and create an infrastructure. *Furthermore, some 14,000 fruit-bearing and woodland trees* were burned and uprooted.

"The Israeli authorities also continued to implement their policy aimed at Judaizing Jerusalem and stifling its Arab presence by withdrawing identity cards, establishing settlements, demolishing houses, seizing Arab real estate and curtailing the economic and social rights of Palestinians.

"Details of the acts of hostility and violations monitored during the period May 1999-May 2000 follow below.

"I. Israeli violations of agreements signed with the Palestinians

"The Negotiations Affairs Department of the Palestinian National Authority estimated that successive Israeli Governments have reneged on carrying out approximately 132 interim arrangements.

"The amended Wye River Memorandum, otherwise known as the Sharm El-Sheikh Memorandum, which the head of the Israeli Government, Barak, signed in July 1999 with the President of the Palestinian National Authority, Yasser Arafat, was not impervious to Israeli procrastination and obduracy, a conclusion which is corroborated by a brief examination of the Memorandum itself and extent to which it has been implemented.

"*1. Redeployment*

"Although Israel completed the first stage of withdrawal from the West Bank on the scheduled date of 23 September 1999, implementation of the remaining withdrawals has been delayed for over two months.

"*2. The final solution*

"Israel undoubtedly bears responsibility for the failure of the Israeli and Palestinian sides to arrive at a framework agreement within five

months, or by February 2000, owing to its clear intransigence over the final solution. Hence, whereas the permanent status negotiations should lead to the implementation of Security Council resolutions 242 (1967) and 338 (1973), Barak declares red lines for that solution as he sees it: a united Jerusalem under permanent Israeli sovereignty, no return to 1967 borders, no foreign army presence west of the river Jordan, the majority of settlements and settlement blocs to remain under Israeli sovereignty and a promise to bring before the people in a referendum any comprehensive agreement signed with the Palestinian National Authority.

"*3. Desistance from unilateral acts*

"The Barak Government failed to respect this aspect of the agreement. In the matter of settlement, for example, which is the most conspicuous of the unilateral actions which the Israeli Government had the audacity to carry out in contravention of its agreements with the Palestinians, including the amended Wye River Memorandum, the Barak Government continued settlement-building in the West Bank and Gaza Strip at an unprecedented rate.

"*4. Safe passage*

"Under the agreement, Israel undertook to open the southern route of safe passage on 1 October 1999. In addition to deferring the opening on several occasions, however, it imposed its own conditions for extending its security control over the passage and assumed the exclusive authority to grant transit permits to Palestinians and detain persons wanted by the Israeli security forces. In practice, as reported by the Negotiations Affairs Department, Israel fails to respect the clauses of the agreements relating to this passage; on countless occasions, Palestinian citizens travelling to and from the West Bank and Gaza were prevented from returning to their homes in the West Bank.

"The other northern route of safe passage which the Barak Government was under obligation to open in February 2000 has not yet materialized.

"*5. Gaza port*

"Despite Israel's undertaking to permit the Palestinian National Authority to start construction of the port on 1 October 1999, this has not yet occurred. In addition, the Israeli Government delayed implementation of the agreed economic recommendations, in particular the transfer of purchase tax scheduled to commence on 30 October 1999.

"II. Settlement in the occupied territories

"While the Israeli Government delays implementation of the undertakings of peace and the agreements signed with the Palestinian side, the settlement activities encroaching on Palestinian territory are escalating and intensifying, thus providing a true indication of the Israeli attitudes and intentions vis-à-vis the peace process.

"It is clear from the report published by the Peace Now movement that, during 1998, the number of inhabitants in the Jewish settlements in the occupied territories increased by 7.5 per cent (three times the rate of increase in Israel), thus bringing the *number of settlement inhabitants to over 172,000*.

"On a different score, Palestinian sources affirmed that 4,112 tenders for construction work in the settlements have been put out since Barak took power. In addition, 2,700 housing units are still under construction in the Ras Amud settlement, meaning that the identified number of *housing units built during the period in question stands at 6,944*.

"In this same context, the Israeli authorities announced the start of 10 settlement plans for the establishment of settlement units and the construction of bypass roads. A project covering an area of 1,200 dunums has also been implemented around Beit Sahur and Bethlehem.

"The start of work on a public project to convert green areas was also announced, as was the beginning of an elaborate project to establish 250 housing units in the settlement of Gilo, which covers an area of 170 dunums of the land in Beit Jala. The project for the settlement of Tekoah, which covers an area of 1,000 dunums, was also

implemented, together with the project for the settlement of Kodim, which covers an area of 80 dunums. In October 1999, the Israeli Prime Minister declared the evacuation of 12 illegal settlement sites as part of a deal with settlers to establish the legitimacy and legality of the majority of settlement sites started by Jewish extremists, the aim being to create a fait accompli before the final status negotiations with the Palestinians determines the fate of the settlements and the Israeli borders.

"At that time, Barak rejected the demands of the Palestinian National Authority for a freeze on settlement during the period of the final status negotiations and insisted on standing by his Government's decisions to continue the expansion of settlements in Jerusalem and of settlement blocs in the occupied territories with a view to speeding up settlement as a fait accompli and annexing Jerusalem and the settlement blocs to Israel.

"III. Bypass roads

"An expert on settlement in East Jerusalem attested that the road network established by the Israeli Government is intended to encircle the whole of Jerusalem in order to provide a large reserve of territory for the purpose of building further settlement blocs around the city and thus increase the area of Jerusalem to 25 per cent of the area of the West Bank, which is the desired objective of the Greater Jerusalem project. He pointed to significant data which unmask the features of this plan: since June 1999, Israel has established 3,500 housing units in the settlements and sealed off 20 per cent of the area of the West Bank on the pretext that it contains military zones, the aim being to convert it into bypass roads in due course and also to have it as land in reserve for settlements.

"IV. Uprooting of trees

"The Israeli authorities and Jewish settlers mounted a vicious attack on fruit-bearing trees, particularly olive trees, in the occupied regions, having uprooted such trees in their thousands from the land of Palestinian citizens while carrying out their operations to expropriate Arab territory, build settlements and construct bypass roads. Since the start of the current year, the army of occupation has uprooted over 8,495 olive trees and during April 2000, the forces of occupation and settlers uprooted 1,020 olive trees as part of their policy aimed at the seizure of further Palestinian territory, as illustrated in the following table:

Site	*Governorate*	*Number of olive trees*
Mughayar	Ramallah	100
Nazlat Shaykh Zayd	Jenin	130
Qalandia	Jerusalem	20
Sawiya	Nablus	320
Salim	Nablus	200
Kafr Dik	Salfit	50
Bani Na'im	Hebron	200

"V. Israeli plans for Jerusalem

"The Palestinian Human Rights Information Centre confirms that the Israeli authorities are working on a scheme to divide Jerusalem into five blocs by turning the Palestinian Jerusalemites into a minority and annexing territory to the exclusion of the inhabitants so that the city's Arab population exceeds no more than 50,000.

"The Israeli authorities also assiduously pursued the policy of withdrawing the identity cards of Jerusalemites by a variety of means, such as demanding the identity cards of Palestinians from the city and failing to return them, resulting in loss of the right of residence for the citizens concerned.

"They also continue to raid business premises in Jerusalem and serve their owners with notices for the payment of high amounts of tax under threat of asset seizure, thereby causing Palestinian tradesmen to suffer enormous financial and economic damage and loss.

"VI. Violations of a religious nature and acts of hostility against holy sites

"The Israeli authorities still continue to violate the sanctity of Islamic and Christian holy sites, as well as freedom of worship, by denying Palestinians access to such sites, whether

Al-Aqsa Mosque or the Church of the Holy Sepulchre. Each year, they also prevent hundreds of Palestinians from performing the duty of pilgrimage to Mecca.

"During the visit of His Holiness Pope John II to the Palestinian regions, the Israeli authorities directed arbitrary actions against Palestinians, exemplified in the closure of business premises in Jerusalem. It also denied the clergy and followers of the Christian faith access to the region of the Mightiest on the river Jordan in order to welcome the Pope and threatened the greeting crowd with mass arrest.

"In a flagrant violation of Islamic holy places, tombs and mosques, Israelis directed acts of hostility against various Islamic sites in the West Bank, the central region and Hebron.

"In the vicinity of the Abraham the Patriarch compound, the Israeli authorities stepped up their acts of provocation and hostility against citizens and youths in particular during the performance of prayers in the compound, with soldiers subjecting them to violent beating and to search-and-arrest procedures.

"Such incidents point to Israeli attempts to revive the plans targeted at Al-Aqsa Mosque, complete the excavation work below the foundations in order to uncover allegedly Jewish antiquities and continue building tunnels under the mosque. The proposal of Rabbi Yitzhak Levy, Minister of Construction and Housing in the Barak Government, who in November 1999 called for Al-Aqsa Mosque to be divided between Muslims and Jews, attests to the Jewish efforts to have this holy site included in the agenda of the Palestinian-Israeli negotiations in flagrant violation of the international instruments which prohibit the occupier from directing acts of hostility against places of worship.

"VII. Demolition of houses

"Amnesty International confirmed that, since 1987, the Israeli authorities have destroyed no fewer than 2,650 Palestinian houses in Jerusalem and the West Bank on the pretext that permits had not been obtained for them.

"In a comprehensive report on the demolition of houses, it stated that 16,700 Palestinians, including 7,300 children, had lost their homes as a result. It also said that the annual rate of house demolitions had not fallen following the Declaration of Principles in 1993, affirming that an average number of 226 houses are annually subject to demolition and that demolitions are the cause of the severe psychological traumas induced in the homeowners, as they are not normally notified of the dates of demolition and are taken unawares by the sudden arrival of bulldozers and scores of soldiers come to carry out the demolition orders.

"The report regarded the reasons advanced by Israel for the demolition of houses to be irrational and to mask the actual reason, namely, the desire of the Israeli authorities to restrict Palestinian urban development and prevent expansion to meet the growing Palestinian population needs.

"According to data provided by an Israeli non-governmental organization, IrShalem, 70 per cent of the total number of administrative demolition orders issued between 1992 and 1999 were for buildings in East Jerusalem. Furthermore, according to data provided by B'Tselem, 21 houses were destroyed in East Jerusalem in 1999 and the municipality of Jerusalem issued 46 demolition orders during the first four months of 2000, 44 of them for buildings in East Jerusalem.

"At the start of the current year, a total of 1,600 Israelis and Palestinians raised a petition requesting the Ministry of the Interior and the municipality of Jerusalem to end the policy of demolishing houses, as it was one of the most brutal punishments which the authority of occupation can impose on Arab inhabitants.

"VIII. Prisoners and conditions of detention

"Legal institutions confirm that detainees held in Israeli prisons suffer medical neglect, delay in the treatment of cases of illness and continual postponement of surgical operations for lengthy periods of time, which endangers their lives.

"The Israeli authorities also persistently deny family visits to a large percentage of prisoners; these institutions estimate that visits are denied to approximately 200 detainees, of whom there are 1,600 altogether.

"During February 2000, the families of Palestinian detainees staged a sit-in at the Israeli prisons opposite the headquarters of the International Committee of the Red Cross (ICRC) in Gaza to demand the release of their detained sons. The families carried banners demanding that the Israeli Prisons Authority should put a stop to the measures and acts of hostility which it carries out and end the policy of solitary confinement and torture. The families of the detainees confirm that prisoners suffer from serious health conditions as a result of the severe cold and the inadequate medical treatment provided to any prisoner who is ill.

"Owing to these harsh conditions, in January 2000, Palestinian detainees staged a sit-in and hunger strike throughout all Israeli prisons and detention camps.

"During the period preceding the fifty-second anniversary of the catastrophe, in May 2000, a fresh wave of violent confrontations broke out between Palestinians and the forces of occupation in the towns of the West Bank and the Gaza Strip. The Palestinians pelted stones at the forces of Israeli occupation who were blocking their way, whereas the soldiers responded by firing at them with both rubber and ordinary bullets. These confrontations resulted in the injury of hundreds of defenceless Palestinians and the death of no fewer than four of them. On the Israeli side, however, a handful of individuals suffered only slight or moderate injury.

"It should be stated that these confrontations, which coincided with the anniversary of the dispossession of Palestine on 15 May 1948, occurred against the background of the hunger strike staged by Palestinian prisoners detained in the prisons of occupation and the cooperation of prominent Palestinian figures, including the Palestinian legislator, in support of their demand for pressure to be placed on Israel and for implementation of the provisions of the agreements signed between the two sides concerning the prisoners, estimated to number 1,650 in all, who are still being held by Israel and whose release it still persists in delaying.

"IX. Torture and detention of children

"The Palestine branch of the legal rights organization, Defence for Children International (DCI), stated in its publication *Small Hands* that Palestinian children are subjected to various forms of torture and ill-treatment and experience harsh interrogation conditions under the Israeli occupation, as a result of which they are denied the capacity to think or behave as children.

"The organization severely criticized the Israeli authorities' return to enforcement of Military Order No. 132 and the fact that juveniles aged between 12 and 14 years are arrested by soldiers, interrogated, sent for unfair military trial and have prison sentences imposed on them as punishment.

"The Friends of America Committee condemned as a violation of international law Israel's detention of 16 young Palestinian boys last Id al-Fitr. It also condemned the military decision to conduct a campaign of arrest against Palestinian children, as a result of which over 20 school pupils were apprehended in the Urub camp north of Hebron on the pretext of stone-throwing.

"X. Israeli measures against Palestinian workers

"The Israeli human rights organization B'Tselem published a report on the degrading practices to which Palestinian workers in Israel are subjected by Israeli soldiers at the Erez crossing point, where soldiers carry out acts of violence against workers, who are, for example, beaten, apprehended, insulted and kept waiting under the burning rays of the sun. The organization also reported instances of bullets being fired at vehicles carrying workers, as a result of which some of them were killed.

"The B'Tselem points out that Shabak (the Israeli intelligence service) uses its authority to withdraw work permits and identity cards as a means of forcing workers to cooperate and provide it with information. The report affirms that the situation of workers in Israel is one of the

areas which has not improved with the progress of the peace process."

2. Syrian Arab Republic

126. During its visit to Damascus, the Special Committee received from Klovis Khoury, Director of the International Organizations Department of the Ministry of Foreign Affairs of the Syrian Arab Republic, the report entitled "Report of the Ministry of Foreign Affairs of the Syrian Arab Republic on Israeli practices affecting the human rights of Syrian citizens in the occupied Syrian Arab Golan". The Special Committee reproduces below the English translation of the report, as presented in Arabic, by the Ministry of Foreign Affairs:

"I. Annexation of the Golan

"The Israeli occupation of Syrian Arab land in the Golan is in itself a flagrant violation of human rights. As such, this occupation must be eradicated from the territory of the Syrian Arab Golan with a view to the restoration of the rights of our inhabitants in the occupied Syrian Golan, rights which are stipulated in international instruments and resolutions. Israel continues to pursue its same policies and practices and to release its racist and malicious statements of a hostile nature that are in flagrant violation of the Charter of the United Nations, the principles of international law, the Hague Conventions, the Fourth Geneva Convention of 1949 and the relevant resolutions of the General Assembly and Security Council of the United Nations, in particular Security Council resolution 497 (1981).

"Since the beginning of the occupation in 1967, Israel, the occupying Power, has endeavoured to prepare the ground in material, human, administrative and political terms for imposing a fait accompli and arriving at the decision to annex the Syrian Arab Golan. To that end, it employed the policy of isolating the Golan and detaching it from the Syrian motherland on the one hand and subsequently annexing it to Israel on the other.

"It is apparent from the statements of Israeli officials and the measures adopted by the Israeli occupation authorities during the past year that Israel is determined to forge ahead with its aggressive and expansionist policy in annexing the Golan. Examples of these statements are as follows.

"On 8 June 1999, reports from the occupied territory stated that the Israeli Golan Settlements Committee in the Golan had called upon the elected Israeli Prime Minister Ehud Barak to continue developing these settlements. The Council, which comprises representatives from 32 Israeli settlements in the occupied Syrian Golan, said in a statement issued the previous day that it would endeavour to secure what it called Israeli sovereignty over the Golan.

"On 12 August 1999, *Israel Radio* transmitted an interview with the interim leader of the Israeli Likud party, Ariel Sharon, in which he said that his party would engage in efforts to urge the current Israeli Government under the leadership of Ehud Barak to keep the Golan under Israeli sovereignty.

"On 22 September 1999, *Israel Radio* said that extremist settlers had convened a series of meetings in Katzrin settlement in the Golan in which the former Israeli Minister of Trade and Industry, Natan Sharansky, and several members of the Knesset had participated under the motto Let us defend the Golan together.

"On 11 October 1999, *Israel Radio* reported that Likud Knesset member Limor Livnat had proposed that the outcome of the referendum which the Barak Government had decided to hold on the future of the Golan should be settled by a majority of 60 per cent of the participants, the aim being to ensure that the Golan remained under Israeli sovereignty.

"In an article published in its edition of 10 December 1999, the newspaper *Yediot Aharonot* stated that a peace agreement with the Syrian Arab Republic based on full withdrawal from the Golan might not pass through the Knesset. The previous day, opposition to withdrawal had been voiced both inside and outside the coalition. The leader of the Yisrael Be'aliyah party, Minister Natan Sharansky, and the leader of the Mivdal party, Yitzhak Levy, had said, also on the previous day, that they would oppose full withdrawal from the Golan. In addition, the leader of the Shas movement, Eli Yeshai, declared

that his bloc would not support withdrawal from the Golan at any price.

"On 14 December 1999, the newspaper *Yediot Aharonot* stated that extremist Israeli groups were conducting a mass rally outside the Knesset against withdrawal from the Golan and that the demonstrators were carrying banners covered with slogans such as 'No to departure from the Golan' and 'The land of the Golan is the land of our forefathers'.

"On 16 December 1999, the newspaper *Ma'ariv* reported that the ministers Yitzhak Levy (Mivdal) and Natan Sharansky (Yisrael Be'aliyah) had decided the day before that their blocs would cooperate on the question of opposition to withdrawal from the Golan.

"Reports from the occupied territory said that, in a statement issued on the evening of 11 January 2000, the Israeli Settlements Council in the occupied Syrian Golan had requested the Israeli Government to ensure that, in any peace agreement with the Syrian Arab Republic, the Golan remained under Israeli sovereignty. The Council said that the settlers opposed withdrawal from the Golan and would not support any peace treaty with the Syrian Arab Republic.

"On 1 March 2000, it was reported that Shimon Peres, the Israeli Government Minister of Regional Cooperation, had affirmed in an interview with *Israel Radio* his unequivocal rejection of Israel's full withdrawal from the Golan.

"In statements broadcast by *Israel Radio* on 9 March 2000, Ehud Olmert, leader of the municipality of occupied Jerusalem, said during his meeting with the leader of the municipality of Katzrin settlement in the occupied Syrian Golan that he supported the leader of the Katzrin settlement and the Golan settlers in their opposition to withdrawal from the Golan.

"According to news broadcast on *Israel Radio* on 29 March 2000, during their meeting with Barak, representatives of the Israeli settlements in the Golan requested him to channel more financial resources into strengthening and expanding their settlements. They also called on him to declare that the Golan would remain under Israeli sovereignty and to reverse Israel's willingness to withdraw.

"II. Israeli settlement in the Golan

"Israel's resolve not to return the Golan to the Syrian Arab Republic stems from a background of expansionist settlement aimed at plundering the Golan's water and agricultural resources. Accordingly, since the occupation of the Golan in 1967, Israel has earmarked a major expanse for the establishment of settlements, since the policy of Israeli settlement in the occupied Syrian Golan and the other occupied Arab territories is an enduring and persistent approach. Information on Israeli settlement in the Golan indicates that it is increasing constantly and without interruption. Moreover, the patent objective of the "Golan Development Plan" drawn up in 1999 by a committee representing the ministries of Housing, Interior, Infrastructure, Health and the Environment is to increase the number of settlements to about 36,000 during the next few years.

"Since the beginning of the occupation of the Golan in 1967, the Israeli occupation authorities have deliberately altered the demography of the occupied Golan. According to the most recent statistics recorded by the Central Bureau of Statistics in Damascus in 1967, between 157,000 and 164,000 Syrian Arab inhabitants were living in the Golan at that date, either in the town of Quneitra or in villages and farms, of which there were about 244. Most of these, however, were demolished in 1967 by the Israeli occupation forces, who evicted and displaced their inhabitants and razed all areas of habitation, apart from the villages of Majdal Shams, Ain Qunyah, Buq'ata, Mas'adah and Al-Ghajar, where the inhabitants maintained their attachment to their villages and land despite the occupation, affirming their loyalty to their Syrian motherland and rejecting the Israeli occupation.

"About 32,000 Syrian citizens currently inhabit the Arab villages in the Golan and are subjected to various kinds of repression and to violations of the human rights provided for in international instruments, in particular the Fourth Geneva Convention of 1949.

"In all, 40 Israeli settlements inhabited by over 15,000 settlers are currently established in the occupied Syrian Golan. The Israeli occupation forces, however, aim to bring the number of settlers to 36,000, having decided to add another 2,500 new housing units.

"The work on expanding the settlements in the occupied Syrian Golan completed during the past year unequivocally affirms the hostile intentions of the Israeli Government to pursue and perpetuate its occupation of the Syrian Golan. The most significant statements and illegal settlement measures are set out below.

"On 9 June 1999, *Israel Radio* said that, in a statement issued the day before, the Israeli Settlements Council in the occupied Syrian Arab Golan had requested Barak's approval of the development plans drawn up in conjunction with the settlement department of the World Zionist Organization. The Council also called on the elected Prime Minister Ehud Barak to continue developing these settlements.

"On 31 July 1999, the Israeli newspaper *The Jerusalem Post* disclosed that 1,400 new Falasha Jews had arrived in Israel over the previous month and that hundreds of the Jews of Quara who wanted to emigrate to Israel and who were still in Ethiopia would be brought to settle in the occupied Arab territories, including the Golan.

"On 20 September 1999, the Israeli newspaper *Ha'aretz* reported that, during the previous week, the settlement branch of the Jewish Agency for Israel had secretly begun expanding the settlement of Nimrod, which lies close to the occupied village of Majdal Shams and was originally a military site that had been secretly converted some six months earlier into another settlement town.

"On 23 September 1999, the Israeli newspaper *Ha'aretz* reported that, between 22 and 23 September 1999, the Israeli Minister of Construction and Housing, Yitzhak Levy, had laid the foundation stone for two new quarters in the settlements of Ben Yehuda and Kanaf in the Golan, the first consisting of 52 housing units and the second of 24 housing units.

"On 1 October 1999, the newspaper *Ma'ariv* reported that, as part of the settlement operation in the Golan, 50 housing units had been declared for sale. Within four days, 12 units had been sold and 40 families had registered for the selection process in readiness for the purchase of flats. In addition, a plan to establish a new quarter in the moshavim, consisting of 270 housing units, was to be approved within a matter of days.

"On 8 October 1999, the Israeli newspaper *Ha'aretz* published a statement from Prime Minister Barak's office confirming the report that Barak deemed it essential to heed the demands of the settlers in the Israeli settlements in the Golan and provide them with financial assistance.

"With a view to encouraging settlement in the occupied Syrian Golan, the Israeli Government decided to grant tax facilities to settlers, to whom Barak had already granted welfare and assistance of a type second to none. Merav Parsi-Zadok, the spokesperson for Ehud Barak, said that the settlements were shortly due to acquire the status of a special development zone whereby low-interest loans would be granted for the purchase of real estate, together with other financial assistance and tax exemptions.

"On 19 October 1999, the Israeli newspaper *Ha'aretz* reported that the scheme approved by the Israeli Ministry of Agriculture for the expansion of an Israeli settlement in the Golan had determined that the settlement of Kibbutz Ortal, which currently comprised 50 housing units and 30 single dwellings, should be expanded through the construction of 115 new housing units.

"The newspaper stated that the new settlement units to be built under this government expansion scheme would be earmarked for housing additional Jewish families who would be brought to live in the settlement.

"The newspaper added that the implementation of another expansion scheme approved during the previous era of Netanyahu was awaiting commencement in a number of the Israeli settlements in the Golan, including those of Kanaf, Ma'aleh, Gamla, Geshur, Kafar, Khorub and Keshet. The newspaper also revealed

that plans were afoot to develop what were described as tourist areas and build new hotels, commercial centres and additional housing units around the settlement of Katzrin.

"In its edition of 2 November 1999, the newspaper *Yediot Aharonot* reported that the Israeli Government had given its approval for expansion of the religious settlement of Ramat Magshimim in the Golan with the construction of 166 housing units. The number of its inhabitants would double and would include large families with children and young couples.

"Reports from the occupied Syrian Golan on 9 November 1999 stated that, in the settlement of Katzrin, the Israeli Government was building and developing Israeli governmental institutions at a cost of NIS 65 million provided from the Israeli general budget. The Israeli ministries of Education and Housing were building further settlement units, particularly in the quarter known as Petra, and also developing and expanding existing buildings, as in the construction of a new wing for the settlement's Adlon College, at a cost of NIS 26 million.

"A new religious school had been established at a cost of NIS 2 million, as were other projects such as schools and night clubs. The Israeli Ministry of Trade and Industry was financing renovation and repair work in the settlement's industrial zone and the construction of new buildings in the settlement itself, in addition to a project for the improvement of tourist facilities.

"On 12 November 1999, the newspaper *Ha'aretz* reported that Israel was preparing to build a hotel in the occupied Syrian Golan, stating that 'the Katzrin Settlement Council in the Golan is planning to build a hotel in the settlement'. It mentioned that various Tel Aviv businessmen had expressed an interest in financing the project, the first phase of which was for 60 rooms, as had the former chairman of the Golan Settlements Committee, Ovi Zaera.

"The leader of the settlement of Katzrin had asked the Lands Administration to set aside land for construction of the hotel and, in a statement to *Israel Radio*, the chairman of the Israeli Settlements Council in the occupied Syrian Golan, Yehuda Volman, had asked the Barak Government to implement the settlement, building and agricultural projects which it had undertaken to carry out in the Golan. Volman added that the Barak Government had committed itself to implementing four projects to build new settlements in the Golan, pointing out that the projects had been confirmed and approved.

"On 12 December 1999, *Israel Radio* reported that a new quarter had been inaugurated in the settlement of Katzrin.

"On 14 December 1999, the newspaper *Yediot Aharonot* reported that a bus carrying 309 new immigrants had arrived in the Golan Heights with the aim of establishing a new settlement site in the Golan, urged on by the party Israel Our Home, which ran an advertisement in the Russian-language press concerning its intention to establish a settlement nucleus as part of the argument against returning the Golan to the Syrian Arab Republic.

"On 24 December 1999, it was reported that the leader of the Government had given the signal to proceed in the construction of 70 housing units in the settlements of Ben Yehuda and Katzrin.

"On 23 February 2000, the correspondent Ali Ashkenazi reported in *Ma'ariv* that, the day before, the Director-General of the Office of the Prime Minister, Uzi Kutchek, had announced various settlement expansion schemes, tourist projects and plans for building an infrastructure in the Golan. On the same day, Kutchek had visited the Golan Heights and held a meeting with settler leaders in which he said that there was no freeze on settlement in the Golan and that some of the projects and plans were the responsibility of the Israel Lands Administration and that some would be dealt with by his office.

"On 11 April 2000, *Israel Radio* reported that Haim Ramon, the Israeli Government Minister without Portfolio, had called for settlement expansion activities to continue in the settlement of Katzrin in the Golan. In a statement broadcast on *Israel Radio*, Ramon confirmed reports that bulldozing work had started in preparation for the construction of 200 new Israeli settlement units that would expand the settlement of Katzrin and added that the Office of

the Prime Minister had recently approved the expansion of settlements in the occupied Syrian Golan.

"*Israel Radio* reported that 20 housing units had so far been sold to new settlers in the Katzrin settlement and indicated that the other units would be sold through contractors as a preliminary step towards expansion of the settlement.

"On 7 May 2000, at Ben Gurion International Airport in Tel Aviv, Ehud Barak, the Israeli Prime Minister, greeted the millionth immigrant to arrive in Israel since the first wave of immigration from the former Soviet Union began at the end of 1989. At a public music concert held on 11 May 2000 and attended by 200,000 Jews from the Russian Federation, Barak expressed the hope that Israel would receive another million immigrants to make it stronger and better and said that such immigration was the finest gift which Israel had received since its establishment.

"Some of the international responses to the actions taken by Israel in connection with settlement and demographic change in the Golan are as follows:

- General Assembly resolution 54/38 of 1 December 1999, recalling Security Council resolution 497 (1981) of 17 December 1981, reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force in accordance with international law and the Charter of the United Nations and stressing the illegality of Israeli settlement construction and activities in the occupied Syrian Golan since 1967;

- Resolution 113/5946 of 11 March 2000 of the Council of the League of Arab States, condemning Israel's attempts to consolidate its settlement of the Syrian Golan and its policy aimed at changing the physical character and demographic composition of the Golan by adding more settlements and installing new settlers in them;

- General Assembly resolution 54/78 of 6 December 1999, adopted by a majority of 149 votes in favour and 3 against, reaffirming that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan, were illegal and an obstacle to peace and economic and social development; and calling upon Israel to accept the de jure applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and demanding the complete cessation of all settlement activities;

- Commission on Human Rights resolution 2000/7 of 17 April 2000 on human rights in the occupied Syrian Golan, determining that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purported to alter the character and legal status of the occupied Syrian Golan were null and void, constituted a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and had no legal effect; as well Commission resolution 2000/8 of the same date, on Israeli settlements in the occupied Arab territories, calling upon Israel to cease completely its policy of expanding settlements and related activities in the occupied territories, including East Jerusalem;

- The Twenty-Sixth Session of the Islamic Conference of Foreign Ministers, held in Burkina Faso on 30 June 1999, called upon the international community to exert pressure on Israel to comply with United Nations resolutions and cease the policy of settlement;

- During its thirteenth Ministerial Conference, held at Cartagena, de Indias, Colombia, on 9 April 2000, the Movement of Non-Aligned Countries reaffirmed as null and void all actions taken or to be taken by Israel, such as its illegal decision of 14 December 1981, which purported to alter the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and impose on it its laws, jurisdiction and administration. It also reaffirmed that all

such measures constitute a flagrant violation of international law, international conventions, the Charter of the United Nations, Security Council resolution 497 (1981) and the Fourth Geneva Convention of 12 August 1949.

"On 14 April 2000, France condemned the decision of the Israeli Government to proceed with settlement expansion activities, the deputy spokesperson for the French Ministry of Foreign Affairs, François Rivasseau, having said in a statement broadcast by *Radio Al-Sharq* that, in order to resume the peace process, it was essential to create the appropriate climate and desist from taking any measures that were incompatible with that process, such as the expansion of the Israeli settlement activities in the occupied Syrian Golan.

"III. Expropriation of land and water

"The expropriation of land and water resources from the occupied Syrian Golan is a fixed policy of the Israeli occupation forces. Israel engages in activities to plunder and seize by force the water of the Syrian Arab inhabitants of the Golan, activities which began with the start of its occupation in 1967. In contravention of the relevant international agreements, it steals and exploits water from the Banyas river and the Golan springs and also exploits the Golan's abundance of underground water.

"In addition, it fully exploits the waters of Lake Tiberias, part of which belongs to Syrian Arab territory, as well as a large quantity of water from the Yarmuk river.

"In a book published in France in the early summer of 1999 entitled *War and peace in the Middle East: the geopolitics of the Golan*, the author Frederick Einsel asserted that the ultimate objective of the Six-Day-War was to expropriate the water resources of the Golan.

"Since the start of the occupation, the Israeli occupation authorities have imposed the Israeli Water Act (1959) on the Golan and controlled all of its water resources, from which they steal an estimated 400 to 500 million cubic metres annually. Since the occupation, they have endeavoured gradually to erode the land of the five remaining Syrian villages and prevent Syrian citizens in the Golan from using the underground water and from digging wells on their own land, imposing heavy fines on anyone who attempts to do so. Fines are even imposed for the use of rainwater tanks and reservoirs for irrigation purposes. Israeli expansion is increasingly moving towards expropriation of the land of the Syrian Arab villages.

"The Israeli occupation authorities have employed various methods of expropriating land, in particular:

(a) Expropriating both land belonging to displaced persons, which is then designated as State property on the pretext of the owners' absence, and public land;

(b) Expropriating land in the vicinity of the ceasefire line and laying it with mines;

(c) Expropriating land for the establishment of military camps and sites;

(d) Expropriating land for the construction of roads and military installations and laying mines on land outside the vicinity of the ceasefire line.

"On 3 March 2000, for example, the Israeli occupation authorities encroached on land belonging to the citizen Ali Salman Sha'lan in the Sadrah area of the village of Ain Qunyah, from which they uprooted apple seedlings with a view to expropriating the land.

"A Paris news weekly reported from Washington that Israeli groups accompanying Barak during his most recent visit to Washington had leaked the information that the United States Secretary of Commerce had arranged for Barak to meet the managing directors of several large United States business firms in order to arrive at some idea of the costs entailed in turning the occupied northern shore of Lake Tiberias into a tourist area by building scores of hotels, motels, swimming pools, restaurants, yacht clubs and casinos, as well as a private civilian airport.

"In the summer of 1999, settlers seized a 60-dunum area of land (60,000 square metres) from the village of Ain Qunyah and fenced it off with barbed wire as a preliminary to its unlawful seizure.

"At the end of that summer, the occupation authorities for their part uprooted about 2,000 apple trees from land belonging to the village of Buq'ata, which they then expropriated.

"On 20 April 2000, reports from the Golan stated that the Israeli occupation authorities had proceeded to uproot seedlings planted by the Sha'lan family in the village of Ain Qunyah in the occupied Golan in a new random move aimed at the unlawful seizure of additional areas of occupied land. The owner of the land, Ali Sha'lan, who said that the acts directed against his land by the Israeli occupation authorities were arbitrary and inconsistent with international law, asserted that he would safeguard and maintain his attachment to his land.

"On 21 April 2000, in an interview with the newspaper *Yediot Aharonot*, Prime Minister Barak provided further evidence of Israel's desire to keep the land by saying that 'for several months, our impetus was to build on our understanding that Tiberias will remain under our control'.

"The Israeli occupation authorities continue to bar access to the water resources in the occupied Golan, using them to their own advantage while denying their benefit to Syrian citizens (the owners). Israel uses over 470 million cubic metres of water. According to a report by Mekorot, the Israeli water company, Israel exploits 3 to 3.5 million cubic metres from the south of the Golan Heights, 6 million cubic metres from the centre and 8 million cubic metres from the north.

"As an example of the exploitation of the water resources of the Golan by the Israeli occupation authorities during the year under discussion, on 18 June 1999 (at the time of the mounting drought crisis in the Golan), they supplied their settlements with water from Lake Mas'adah that was equivalent to 1.5 million cubic metres.

"The Israeli occupation authorities apply water legislation that is prejudicial to Syrian Arab citizens, to whom they sell water for irrigation purposes from Lake Mas'adah, which is situated in their territory, at the exorbitant price of NIS 1.5 per cubic metre, whereas water is freely given to Israeli settlers. A case in point is the settlement of Neve Ativ, which is situated in the territory of Jibata Al-Zayt between the villages of Mas'adah and Majdal Shams. Comprising a total of 30 houses, its annual water consumption amounts to 2 million cubic metres, whereas the overall consumption of the five remaining Arab villages in the Golan, which have a total population of over 23,000, amounts to no more than an estimated 1.5 million cubic metres.

"Each dunum of land belonging to Syrian Arab citizens is supplied with a maximum of about 100 cubic metres of water annually, whereas each dunum belonging to Israeli settlers is supplied with about 500 cubic metres. Every Israeli settler is allocated between 100 and 120 dunums of the most fertile land, together with generous government services and assistance. By contrast, no individual Syrian citizen in the occupied Golan owns any more than 5 dunums.

"Reports from the occupied Syrian Golan and the other occupied Arab territories stated that, on 11 January 2000, settlers from the settlement of Keshet in the northern Golan dug artesian wells enabling them to expropriate 3 million cubic metres of the Golan's underground water supply annually. They also appointed a Romanian company to install water tanks for use in irrigating their farms.

"Israel's expropriation of the water resources in the occupied Syrian Golan and the other occupied Arab territories and its use of such resources for its own benefit and that of Israeli settlers is a breach of the international rules, laws and customs relating to international waterways. As such, it contravenes the Hague Convention (IV) respecting the Laws and Customs of War on Land, in particular article 43 thereof, and the provisions of the Fourth Geneva Convention. Article 17, paragraph 2, of the Universal Declaration of Human Rights states that no one shall be arbitrarily deprived of his property. Israel, however, plans to continue depriving our people in the occupied Syrian Golan of their natural right to water resources and is now revealing its intention of maintaining control over Arab land and water resources.

"IV. Taxes

"The Israeli occupation authorities deliberately continue to impose an array of exorbitant taxes on Syrian Arab citizens in the Golan. Covering all aspects of life, these taxes are imposed on items such as domestic radio and television (US$ 120), domestic property, income and goods, added to which are sick fund tax, local council tax, national insurance tax, added value tax and so on. There are different types of taxes by the score which are double those paid by Israeli citizens. Taxes are even levied on students coming to study at Damascus University, who are not permitted to do so by the occupation authorities until they have paid a variety of unreasonably high taxes, the intention being to place a heavy burden on Syrian Arab citizens, relieve them of their funds and prompt them to give up higher education. Arabic-language books are also heavily taxed, whereas Hebrew books are tax-exempt.

"These authorities collect property tax of over $3 per square metre of domestic floor surface and increase the amount on an annual basis.

"In order to restrict any further construction in the Arab villages, they also continue to impose high taxes on construction, which places a heavy burden on the inhabitants, as such taxes amount to 50 per cent of the agricultural revenue or the wages received by workers.

"Tax of $2,000 is imposed on any house built without a permit. Such houses are demolished in the event of non-payment, as in the case of the house which belonged to Mahmud, Isam, Kifah and Amal, the children of Hayil Abu Salih.

"A tax is imposed on irrigation water which originates from the citizens' own land and citizens are even sold water from the tanks and reservoirs which they place on that land, as the equivalent of $1 is levied on each cubic metre of irrigation water.

"The tax imposed by the Israeli authorities for access to the irrigation network is $1,500 for a supply to only 1 dunum of land.

"The occupation authorities impose unreasonably high taxes on agricultural crops, which forces the inhabitants to sell them at the cheapest price, as the cost of tending and harvesting the land, coupled with the cost of tax, amounts to the equivalent of the crop value. In addition, a carriage tax equivalent to $300 is levied on every vehicle transporting 100 crates of apples to market, which amounts to an equivalent of $75 per ton.

"V. Economic drain on the land and inhabitants

"The policy of economic constraint pursued by the Israeli occupation authorities in the occupied Syrian Golan is still continuing in every sphere, in particular that of agricultural production, which constitutes the basic economic livelihood of the Syrian Arab inhabitants of the Golan in the occupied villages of Majdal Shams, Mas'adah, Buq'ata, Ain Qunyah and Al-Ghajar. Since their occupation of the Golan in 1967, the Israeli occupation authorities have pursued the policy of eroding the land of these villages, placing restrictions on Syrian Arab citizens and expropriating hundreds of dunums of their land on flimsy security pretexts by laying mines, which places farmers at constant risk (at the end of 1999, a mine exploded on a young man named Mu'ayyan Faris Abu Shahin from the village of Buq'ata and severed his leg) or seizing and fencing off areas of their land for use for military purposes, such as target practice and training, road-building and the establishment of military installations (some 45 dunums of land having been confiscated from the village of Ain Qunyah). As for the expropriation of water resources, the policy followed by the occupation authorities continues to deprive the Syrian Arab citizens in the occupied villages of access to the water resources available in those villages; they prevent them from using the water from Lake Mas'adah while at the same time diverting that water to the Israeli settlements in the Golan. Other practices include the following:

- As always, they continue to prevent citizens from digging wells, instead favouring the nearby settlements, which reduces the underground water level in these villages;

- The Israeli occupation authorities deliberately lowered the price of apples (which are the staple agricultural crop in the occupied villages) to the minimum level, having fixed the price per kilogram during the last season of 1999 at only 1 shekel, whereas the production cost is about 2 shekels (US$ 1 equals approximately 4 shekels);

- The occupation authorities imported large quantities of apples from abroad in an obvious attempt to deal a blow to the apple crop produced in the Arab villages and force the producers to sell at the lowest prices;

- At the end of September 1999, the Israeli tradesman Yitzhak Dweik carried out a major act of theft and fraud, having purchased a large quantity of apples, estimated at about 5,000 tons, from Syrian Arab citizens at an estimated cost of $1.5 million. He then left for the United States of America without paying for them, leaving the farmers in a wretched and inhumane situation;

- The Israeli occupation authorities impose heavy carriage tax and duty on the apple crop, which, at its lowest, is sold for a price of about $20 per ton;

- Part of the Hermon region is occupied by Israel and although it is unusable owing to its rocky terrain, it nevertheless serves as the region's water reserve. Israel, however, exhausts a large quantity of this water by its own methods, which affects the water supply to the A'waj river. The part in question covers an estimated area of about 5,000 hectares;

- On 3 March 2000, backed by Israeli forces, the "Nature Protection Authority" uprooted apple trees from land belonging to the citizen Shaykh Ali Salman Sha'lan from the Sadrah area of the village of Ain Qunyah and destroyed some of the agricultural tools and pieces of machinery that were on the land. This action was taken even though the land has been owned and cultivated for hundreds of years and passed down by inheritance to its proprietors, the family of the above-mentioned citizen.

"VI. Conditions of Syrian Arab workers

"The poor conditions suffered by Syrian Arab workers as a result of the continuing arbitrary practices of the Israeli occupation authorities persist, together with the suffering of the workers as set forth in detail in the reports of previous years. It can be said that this suffering is growing as a result of the hostile measures and perpetual domineering attitude aimed at governing the fate of the Syrian Arab citizens living under occupation. Workers form a vital component of the Syrian citizens in the occupied Golan, where the majority of inhabitants were previously reliant on agricultural work. Most, however, have now abandoned such work owing to the policy of economic clampdown pursued by the occupation authorities in the form of imposing taxes, lowering the price of crops, increasing the price of essential agricultural requirements and so on, which forces workers onto the 'black labour' market and into employment in physically strenuous and laborious jobs such as cleaning, construction and miscellaneous services. The general conditions of Syrian Arab workers in the Golan can be summed up as follows:

- They experience various forms of exploitation:

1. They are paid low wages, which are less than half the amount of the wages paid to Israeli workers;

2. They are employed in work which is laborious, physically strenuous or hazardous;

3. They spend long hours at work and also work overtime in order to guarantee a living, even though their wages are low when gauged against the rising prices. Israeli bodies define the poverty line as a monthly wage of NIS 7,000. With a monthly income of no more than NIS 4,000, an Arab worker lives on an amount that is half that of the poverty line. By contrast, the average monthly income of the Israeli worker is never less than NIS 10,000;

- Israeli employers pay no compensation for work injuries to any worker from the Golan or to any Arab worker in general, which creates enormous problems of survival for the family of any such worker owing to his inability to work;
- The unemployment suffered by Syrian and Arab workers in general is a perennial problem in view of the fact that workers are always uninsured and under constant threat of dismissal;
- In addition, the Israeli occupation authorities impose a tax on workers' wages and anyone who fails to pay is obstructed on his way to or from work at the checkpoints set up for workers, such as the main road checkpoint at Banyas. Workers are asked to pay all outstanding taxes under threat of having their property impounded and confiscated in the event of failure to do so.

"One form of worker exploitation is provided by the example of employees in Ain Qunyah nursery school, who are obliged to sign material statements which diminish their rights and reduce any compensation payable to them.

"VII. Policy of systematic intellectual stagnation and cultural and historical distortion

"The Israeli policy in the field of education complements the general Israeli policy towards Arabs and Arab land, which is based on occupation and expansion and on eradicating the material and human presence of the Arab on Arab territory by driving out Arab landowners, expunging Arab culture and civilization from the minds of the Arabs who could not be evicted from their land and who are now under Israeli occupation and forcing them to study Israeli curricula that serve racist and expansionist Zionist aims. Such is the current picture in the occupied Golan and the other occupied Arab territories.

"The real name for the Israeli education policy towards the Arabs in the occupied territory is that of 'systematic stagnation', aimed at giving them a superficial, inadequate and shallow education that is detached from their history, their heritage, their culture, their homeland and their nation. It also attempts to obliterate their Arab national character and patriotism and to portray Jews in the best possible light while debasing Arabs and their civilization. This policy is manifested in various ways, among them:

"*1. The school curriculum*

"The Israeli curriculum has continued to prevail in the occupied Golan since the beginning of occupation, when the occupation authorities immediately abolished the Syrian Arab curriculum from schools and replaced it with the Israeli curriculum. It is the same curriculum that was used for the Palestine Arabs in 1948.

"An examination of only some examples of this Israeli curriculum, for instance, reveals the following:

"*(a) The Arabic language*

"Arab literature is misrepresented and its beauty and resplendence are deliberately obscured. The focus is placed on highlighting intertribal fighting, fanaticism and vainglory, on making much of erotic poetry of a shameful nature and on showing that Arab culture lacks depth and penetration. Attempts are also made to sow the idea of division and the lack of any sense of belonging to the Arab nation, while any civilization of the Arabs is excluded, along with noble love poetry. In addition, defamatory po is claimed to be a true reflection of the mora f Arab environments during the first century A.H. and the great figures of Arab literature, such as Al-Mutannabi, Al-Ma'rri, Ibn Khaldun, Al-Sharif Al-Radi, Ali bin Abi Talib and Ibn Al-Muqaffa', are maliciously overlooked.

"It is therefore understandable that the Israeli curriculum ignores any poems or works of literature which urge resistance to colonizers and extol dignity, courage and nobility.

"The other Arabic language textbooks in the Israeli curriculum used in every class contain examples of such misrepresentations and the systematic undermining of education and culture.

"These examples provide an idea of the textbooks dealing with the other subjects which are part of the Israeli curriculum.

"*(b) Geography*

"The names of places and geographical landmarks are falsified. Throughout the occupied Arab territories, such places and landmarks are given Hebrew names, epitomizing the official Israeli policy of aggression and expansion. The cases in point are too numerous to list.

"Page 183 of the textbook used in the fifth form of primary school states as follows about the 'Arabian peninsula' in the course of discussing Mecca and the pilgrimage: 'Pilgrims to Mecca are welcomed by special guides, of whom there is one for every people and every tongue: Egyptians, Moroccans, Indonesians, Indians and so on.' Egyptians and Moroccans are therefore presented in clear distinction as different peoples.

"Page 177 of the same book states that Algeria 'gained its independence following a referendum on self-determination on 1 July 1962', ignoring the fact that independence was the outcome of the great Algerian rebellion.

"Betraying Israel's expansionist ambitions, page 9 of the book entitled *Geography of the Middle East* (secondary stage) states: 'The physical boundaries of the land of Israel are: in the west, the Mediterranean; in the north and north-east, the Qasimiyah/ "Litani" river, Mount Hermon and the confluence of the tributary streams flowing into the river Jordan and the Damascus rivers; in the east, the Syrian desert; and in the south, the Valley of Egypt (Wadi Al-Arish and the Sinai desert as far as the Gulf of Eilat).'

"With reference to the Jordan valley, page 127 of the same book states: 'The Jordan valley divides the country of Israel into two sections: the land of western Israel and the land of eastern Israel'. In other words, the book claims that the whole of Palestine is simply 'the land of western Israel'.

"*(c) History*

"The misrepresentation and perversion of history is hugely obvious. There is insufficient room here to list every distortion and discrepancy, but they are all centred on exaggerating the periods of weakness in Arab history, focusing on them in detail and dealing with them in a misleading and offensive light, while conversely inflating the role of Jews in history and discussing it in excessive detail.

"In the subject entitled 'civilizations of Israel', the picture of Israel is embellished in the minds of pupils, whereas anything about Arab society and its heritage, its customs, its culture and its civilization is omitted. Instead, the highlight is focused on sectarianism.

"*(d) Heritage*

"A sectarian heritage is contrived that is incongruous with the overall Arab cultural legacy and with Islam. The subject as taught is full of historical and religious fabrications. These Zionist approaches in the school curriculum serve the objective of achieving the complete fragmentation of Arab society and Arab pupils in the occupied territories by means of the comprehensive Zionist and imperialist fragmentation plan targeted at the entire Arab nation.

"Our inhabitants in the Golan have rejected these programmes and oppose them to the extent that they are able to do so. On that score, inhabitants play a role by making whatever redress is possible in the Israeli curriculum, in which connection teachers who are no longer in education take on a significant national and educational function.

"In this context, the Syrian motherland played a role in assisting those of its inhabitants who are pupils in the occupied Golan and in helping to alleviate these poor educational conditions by gearing educational programmes on Syrian radio and television to the occupied Golan. These programmes are followed and well received by the inhabitants of the Golan and their children, as well as by the Palestine Arabs of 1948, as they refute the single Israeli curriculum universally applied to one and all.

"*2. School textbooks*

"These represent the application in practice of the disastrous Israeli curriculum. Although badly printed, they are changed every year, albeit with no change in content, with a view to

draining pupils of their economic resources. In addition, pupils are charged high fees equivalent to $1,000 each per year in the secondary stage.

"3. *The school administration and teaching staff*

"The school administration is a tool for controlling teachers and pupils. It is not an educational body. Most school principals are Israeli intelligence officers and the 'education inspector' exercises indiscriminate control through the appointment of teachers who have no experience or qualifications. Some of the teachers in Mas'adah primary school, for instance, have no preparatory certificate.

"Competent and older experienced teachers are dismissed on fabricated security pretexts and the qualified teachers who remain are beleaguered and subdued.

"Teachers are annually threatened with non-renewal of their contracts or with dismissal if they participate in national events, as in the case, for example, of the teachers Hamud Mari' and Hassan Fakhr al-Din from Majdal Shams.

"*There is a heavy shortage of school rooms.* Houses and garages are rented and converted into school rooms which do not fulfil the minimum required health and teaching conditions.

"4. *University education*

"The occupation authorities lay down impossible conditions for the admission of students from the occupied Golan to Israeli universities. In addition, the tuition fees are high, amounting to over $7,000 per academic year, and there is racial discrimination against Arab students.

"Some faculties, such as dentistry, pharmacology and law, only admit students who hold Israeli nationality. It is therefore impossible for students from the occupied Golan to gain admission to these faculties.

"The Syrian motherland therefore took the initiative to welcome the admission of our students from the occupied Golan to Syrian universities. As they control applications, however, the occupation authorities also make use of this opportunity to engage in their practices of extortion and subjugation by deciding whether or not to permit students to come, subjecting them to tremendous ill-treatment at the Israeli crossing point at Quneitra as they return at the beginning of the summer break and travel back at its close. Moreover, they are not permitted to take any books or even the simplest of gifts to their families and are made to undergo thorough searches at the crossing point.

"The younger generations, including students, are being systematically corrupted, as the complacent school administration and poor teaching standards encourage an increase in the school drop-out rate.

"An example of the pressures exerted on our citizens in the occupied Golan is the indiscriminate exercise of control in permitting them to go to Amman in the Hashemite Kingdom of Jordan in order to meet their relatives, including teachers, who travel to see them from the Syrian motherland.

"5. *Cultural conditions*

"These are also subject to the policy of Israeli control and perpetual undermining as part of an approach aimed at obliterating the national culture of the Syrian Arab citizens in the occupied Golan and attempting to detach them from their Arab nation and the members of their Arab people, as cultural activity in general is restricted and the regular publication of newspapers and magazines is obstructed.

"In the field of antiquities, archaeological assets were seized from 211 archaeological sites uncovered in the occupied Golan, as acknowledged in the media by the Israeli authorities themselves. These remnants and assets were moved to Israeli museums or acquired by various Israeli individuals and organizations. In addition, a large percentage of these sites are misleadingly and falsely ascribed to the Jews and the so-called 'ancient Jewish State'.

"It is therefore apparent that the educational and cultural conditions of our Syrian Arab citizens and students under Israeli occupation are part of the general Israeli policy towards Arabs based on elimination and marginalization, and consequently on domination and control, as well

as on crushing any seeds of resistance. This is rejected by our citizens in the occupied Golan, by the rest of our brothers in all other occupied Arab territories and by the Syrian motherland in an Arab patriotic and nationalist stand that is both proud and steadfast.

"VIII. Health conditions of Arab citizens in the occupied Golan

"The health conditions of Syrian Arab citizens are worsening as a result of the continuing occupation and the ongoing pursuit by the occupying authorities of their arbitrary policy, as the five occupied Arab villages have no health centres or medical clinics equipped to treat even the most trivial illnesses. The acute lack of such centres and clinics, coupled with the lack of a hospital in these villages for the performance of simple operations, causes Syrian Arab citizens to travel to inland towns, such as Nasirah, Safad and Jerusalem, which consequently entails heavy expenses for them. A citizens' health complex needs to be established in Majdal Shams, with branches in the other villages.

"The Israeli occupation authorities have obliged all Syrian citizens to take out health insurance with what is known as the Israeli sick fund, Kupat Holim. High premiums are imposed in return for basic health services that are easily covered by only a part of those premiums.

"The worst occurs when Syrian citizens are obliged to attend Israeli clinics for treatment, as the form of treatment given so accustoms the patient to the medication that he becomes addicted, particularly in the case of mental illnesses.

"In this context, the poor health conditions suffered by our people in the occupied Syrian Golan owing to the lack of first-aid centres of sufficient calibre to treat difficult cases are confirmed by the example of the four Syrian youths injured in a landmine explosion on 8 November 1999 who are still in detention. Three months after the accident, their health conditions, referred to in a document issued by the medical centre in the village of Buq'ata (a copy of which is annexed hereto), serve as ample evidence of the violation of the most fundamental human rights by the Israeli occupation authorities.

"A further incident concerns the Syrian detainee, Yassir Al-Mu'adhin, who has been suffering from kidney failure during the course of his lengthy 10-year imprisonment. On 4 June 1999, the Tel Aviv court refused his release for appropriate medical treatment in the Syrian Arab Republic, the Syrian Ministry of Health having undertaken to conduct a kidney transplant operation on him as soon as he arrived on Syrian soil via the International Committee of the Red Cross (ICRC). This refusal came in spite of the appeal from the Government of France to the Israeli Government to release him for treatment.

"This instance provides ample evidence of the failure of the Israeli occupation authorities to offer the minimum health care to Syrian detainees and prisoners in the occupation prisons, despite the repeated requests of our inhabitants in the Golan and ICRC for investigation of the health conditions of the detainees, most of whom are suffering from illness as a result of psychological repression and inhumane treatment.

"IX. Destruction and pollution of the environment and defacement of the natural landscape

"The Israeli practices in the occupied Arab territories are epitomized by the fact that they are multi-lined and therefore out of the ordinary and an unprecedented violation of all international laws and norms. Israel's nuclear facilities represent a nuclear terror that remains outside any international supervision or control. Moreover, the waste from those facilities, the warnings issued by international organizations concerning the dangers of such waste and Israel's practice of burying large quantities of toxic waste in the occupied Arab territories and at sea in the waters of the Mediterranean also make for an alarming situation whereby a potential disaster hangs over the region, in the light of information confirming that the risk from those facilities and the waste which they produce is increasing by the day.

"The question is not merely confined to Israel's waste from its nuclear facilities and the possibility of an environmental disaster occurring

in the areas where such waste is buried. On the contrary, it also extends to include other toxic waste from Israeli factories which, for many years, the Israeli occupation authorities routinely buried in the occupied Arab territories, including the Golan. Reports published by international and regional organizations indicate that Israeli factories are still disposing of their toxic waste in various sites in the occupied Syrian Golan and the occupied West Bank. In one of its reports, the Middle East Organization confirmed that the West Bank contained no fewer than 50 sites in which toxic waste was dumped.

"In a letter sent to the coordinator of the Mediterranean Action Plan of the United Nations Environment Programme (UNEP/MAP) on 27 September 1999, the environmental organization Greenpeace confirmed that Israel still continues to pollute the waters of the Mediterranean with toxic waste. In the letter, it stated that the samples taken by its experts in June 1999 as part of the monitoring work to stop pollution activities showed that the cargo of the Israeli vessel *Aribel* contained toxic pollutants, despite Israel's declaration that the boat contained nothing other than salt.

"Mario D'Amato, the Executive Director of the Greenpeace Mediterranean Office, said at a press conference held in Beirut on 15 September 1999 that the Israeli vessel *Aribel* was still continuing its well-known practice of dumping toxic waste in the Mediterranean. He described the dumping of toxic materials as dangerous; it had adverse effects on marine life and destroyed fish resources.

"X. Destruction of population centres and looting of property

"Following the occupation of the Golan in 1967, the Israeli occupation authorities proceeded to destroy 244 villages and population centres and drive out their inhabitants, sparing only five villages (Majdal Shams, Buq'ata, Ain Qunyah, Mas'adah and Al-Ghajar). They also destroyed places of worship, religious sites, schools and health centres. In carrying out these activities, the underlying aim of the Israeli occupation was to eliminate Arab landmarks and erase the Arab identity from the Golan.

"Helena Cobban, a British author specializing in Middle East affairs, said at a seminar organized by the Middle East Studies Center in Washington in March 1999 that, during her most recent visit to the Golan in 1988, she had met many displaced persons from the Golan in their reception centres and discovered that they now numbered about half a million. By contrast, they were estimated to number between 157,000 and 164,000 when they were evicted by the Israeli occupation in 1967 from their villages which the occupier turned into mounds of rubble. Any visitor to the Golan is able to see the remains of the villages and the piles of destroyed houses.

"Cobban says that the spiritual bond which these displaced persons have with their towns and villages in the Golan has not been severed and that they are looking forward with longing and enthusiasm to returning. She also said that there is some discussion in the United States about the material cost of removing the settlers from the Golan, completely forgetting these families who left the Golan over 30 years ago, an entire generation having grown up outside its towns and villages. They and their children, however, all maintain their link with their homes which were destroyed by the occupation.

"It should be added that the Israeli occupation authorities turned a number of villages into agricultural land and projects or surrounded them with trees in order to conceal their features. They used stones from the houses which they destroyed for various military purposes, such as building military sites and fortifications. Losses were also incurred as a result of property looting (crops, animals, projects, furniture, equipment, machinery and so on) and the destruction of the town of Quneitra.

"XI. Excavation and looting of antiquities

"The occupied Syrian Golan constitutes one of the richest archaeological regions, with its abundance of antiquities and unusual historical artefacts dating back to the times of the different civilizations which spanned these regions. In all, there are about 212 archaeological sites in the occupied region of the Golan. Following the occupation of the Golan by Israeli forces, these archaeological sites have been subjected to all

manner of violations: their contents have been wrecked, looted and counterfeited, while any item saved from destruction was likely to be smuggled out, a regular practice carried out by the Israeli occupation forces or by individual officers or members of the Israeli army with a view to trading such items for profit. The archaeological sites and ancient buildings have consequently suffered enormous damage, in particular because extensive areas of the Golan have been turned into military camps and fields for training and target practice, and because artefacts have been indiscriminately excavated and looted by officers and members of the Israeli army (a prime example being the activities carried out by Moshe Dayan, who seized thousands of master artefacts, such as pedestals, capitals and columns).

"Major archaeological sites affected by the Israeli hand of devastation include Banyas, Dabburah, Adnaniyah, Qahtaniyah, Ain Nashwah, Ain Simsim, Fakhurah, Qasabiyah, Asaliyah, Batihah, Ahmadiyah, Jarraba, Zaytah, Qadiriyah, Umm Qanatir, Dikkah, Kanaf, Dayr Faruh, Mujahiyah, Ya'rabiyah, Fiq, Khisfin, Al Hammah, Rujam Huda, Dayr Saras, Juwayzah, Khishniyah, Rumthaniyah, Dabbiyah, Faraj, Rafid, Kafr Alma, Sakufiyah, Kursi, Qal'at Husn, Qal'at Nimrod and many more where antiquities were discovered in vast quantities.

"All the transportable archaeological remains and many outstanding architectural pieces discovered in the occupied Golan were certainly taken to Israeli and other museums via the black market, with only a very few left behind in the local Golan museum established by the Israeli occupation authorities in the settlement of Katzrin. Israeli archaeological expeditions attempt to conceal this fact; their reports on their activities and finds make no mention of the fate and whereabouts of those antiquities that were discovered in the occupied Syrian Arab Golan.

"Recently, the Israeli occupation authorities have purposely removed all buried items from the occupied Syrian Golan, including antiquities which symbolize the importance of the Golan region and provide a record of its history rich in the civilization and cultural heritage which are integral to the life of any country and which constitute an expression of its national and historical identity. The fact that the Israeli occupation authorities abuse and loot any antiquities which they uncover in the occupied Syrian Arab Golan is harmful not only to the Syrian Arab Republic, but also to world culture and human civilization. Moreover, it is detrimental to the reading, study and course of history and constitutes a flagrant violation of human rights in the occupied territory and the rights of those evicted and displaced from their land after the occupation. Not content with evicting those individuals, the occupation authorities also robbed them of their history and the legacy handed down by their forefathers.

"The Israeli occupation authorities continue to pursue their destructive activities in the archaeological sites in the occupied Syrian Arab Golan, as well as their illegal excavation of these sites and the unlawful seizure of any archaeological finds. Last year, having completed extensive archaeological surveys of the entire occupied region of the Syrian Arab Golan, they began heavily excavating most of the sites in the Golan. Some of these excavations are still ongoing, particularly in the regions of Jabal Shaykh, Qasrayn, Banyas, Tel Qadi, Jumlah, Quneitra, Mas'adah, Al Hammah and so on. The Israeli settlement projects have also resulted in the destruction of archaeological sites of unique importance and international renown. The most recent of these undermining exercises in connection with archaeological sites in the Golan was the devastation of a site near the Banat Ya'qub bridge dating back to the Palaeolithic period that was carried out in deliberate and underhand fashion. During the night of 12 January 2000, Van Ethan Sat, the director-general of the administration in charge of the Lake Tiberias drainage network, gave orders to widen the stream of the river Jordan in the region of Wadi Hawlah north of Lake Tiberias, which caused enormous and irreversible damage to an archaeological site that is not only a major world site, but also the oldest site for study of the life and culture of ancient man. This important archaeological site, known as Banat Ya'qub bridge, dates back to the Palaeolithic period, 780,000 years ago. The site contains the second most ancient pieces of evidence of the activity of

stone-age man in a region outside the African continent.

"The Israeli archaeological excavator, Nu'mat Guron Abner (a professor at the Hebrew University of Jerusalem), appealed to the world's scholars for help following Israel's destruction of this oldest archaeological site in the Golan.

"Digging and excavation work continued at this site in the late summer of 1999. The archaeological remains uncovered as a result demonstrated its conclusive significance in understanding the movements of ancient primitive man from his land of origin in the African continent to the Golan and his subsequent dispersal to the continents of Asia and Europe. This site was established above the stream of the river Jordan at a point lying 13 kilometres north of the river outlet in Lake Tiberias. The main road connecting the Syrian town of Quneitra with the Palestinian towns of Safad, Majdal Karum and Acre passes over the bridge. The site lies precisely north-east of this road on the eastern bank of the river Jordan in the territory of the Syrian Golan.

"The theft by the Israeli occupation authorities of the antiquities discovered, together with the attempt to falsify the historical facts with the aim of creating historical justifications for their expansionist ambitions, is detrimental to the culture and history of the human race. These ancient artefacts and pieces of art must therefore be returned to their rightful owners in the occupied Syrian Golan in order to restore to the world the features of its authentic human history.

"In this context, we should like to place on record that the Syrian Arab Republic reserves its right to the return of all its cultural historical property seized by the Israeli occupation authorities in violation of international law and the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954.

"XII. The policy of repressing, blockading and detaining inhabitants

"The entire world is now well aware that Israel continues to disregard all the resolutions of the United Nations on human rights in the occupied Arab territories. There is barely a single home or family in the occupied Syrian Golan that does not have one of its members confined in Israel's prisons and detention camps, where they endure various forms of torture and suffer from denial of the most fundamental human rights: the right to life and to continuity of the family.

"They are also subjected to intolerable health and psychological conditions and are at risk of life-threatening mental illnesses, in addition to which the Israeli authorities deliberately neglect their care and welfare.

"The names of some of the detainees from the occupied Syrian Golan being held in Israeli prisons are set out below, along with details of their inferior conditions.

"The prisoner Hayil Husayn Abu Zayd was arbitrarily and unjustly sentenced by impromptu Israeli courts to a 27-year term of imprisonment, of which he has served 15 years. As a result of the poor health conditions inside Israeli detention camps, his health has deteriorated over the course of time; he suffers from anaemia and abdominal bleeding and has lost the sight of one eye.

"On 8 November 1999, a group of children, the eldest of whom was no more than 18 years of age, was detained by Israeli occupation forces, even though the children were in a poor state of health as victims of a mine blast which occurred in the middle of the village of Buq'ata. These children are:

- Mu'ayyan Faris Abu Shahin, aged 15, whose right leg was amputated and whose left leg was injured by shrapnel and was also at risk of amputation if neglected;
- Wi'am Mahmud Ammashah, aged 18, who suffers from loss of hearing in one ear and has shrapnel in his right leg and thigh, which are at risk of amputation owing to poor treatment;
- Wa'il Najib Zahwah, aged 15, who suffers from bad hearing and body burns;
- Kamal Atallah Al-Wali, aged 14, who suffers from bad hearing and body burns.

A total of 17 Syrian citizens still remain in the prisons and detention camps of the Israeli

occupation, serving sentences of between 1 year and 27 years.

"During the past year, successive detention and imprisonment campaigns were mounted. On 16 June 1999, young men by the names of Ziyad Jamil Abu Zayd, Wida' Izzat Abu Zayd, Rani Fahd Mahmud and Hassan Husayn Abu Zayd from the village of Majdal Shams were detained on charges of resisting the occupation after the village was cordoned off.

"On the same day, Amnesty International issued a statement condemning the detentions without trial carried out by the Israeli occupation authorities in the Golan and in Palestine and south Lebanon.

"In a news report from the occupied Golan on 15 September 1999, *Quds Press* stated that Israeli police and intelligence (Shabak) had summoned six citizens from the village of Majdal Shams and interrogated them on charges of obstructing an apple festival which Israeli settlers had decided to stage in the village with the support of the so-called Settlements Council. The six Syrian citizens in question are Salman Fakhr Al-Din, Fawzi Abu Jabal, Wahib Al-Salih, Muti' Abu Salih, Yusuf Abu Salih and Fakhri Al-Maqt.

"On 23 September 1999, an Israeli military court in Nasirah awarded prison sentences to the two young men, Rani Fahd Mahmud and Zahir Nayif Awwad, from the village of Majdal Shams.

"Reports from the occupied territory stated that, on 5 November 1999, the Israeli Prisons Administration carried out thorough and extensive searches of the rooms of prisoners and detainees, confiscated many of their personal possessions, as well as their food, and poured oil and hot tea on them in a provocative manner.

"In protest against these inhumane practices, the detainees mounted sporadic strikes to proclaim their rejection of all measures of Israeli repression and arbitrariness.

"On 10 November 1999, *Israel Radio* reported that, the day before, Israeli occupation forces had carried out a dawn raid on many homes in the village of Buq'ata in the occupied Syrian Golan and detained a number of young Syrians who were injured in an explosion on charges of preparing locally made bombs for use in resisting the occupation. Israeli military sources, however, said that the explosion, which had occurred in the village of Buq'ata and wounded five Syrian children, had been caused by the detonation of an anti-personnel mine left behind by the occupation forces.

"On 27 November 1999, *Al-Quds* newspaper, which is published in the occupied territories, reported that the Office of the Israeli Military Prosecutor had indicted six youths from the village of Buq'ata in the occupied Syrian Golan in connection with charges of planning to engage in armed resistance activities against the occupation. The detainees' relatives said that their sons were being held in Jalmiyah prison near the town of Haifa and that they had been subjected to heavy interrogation, since they bore the obvious marks of torture.

"The Committee for the Support of Prisoners and Detainees in the Occupied Syrian Golan circulated a list of the names of these six detainees, who are as follows:

- Wi'am Mahmud Ammashah, age 18;
- Mu'ayyan Faris Abu Shahin, age 15;
- Wa'il Najib Zahwah, age 15;
- Kamal Atallah Al-Wali, age 15;
- Abbas Salih Ammashah, age 15;
- Sham Kamal Shams, age 17.

"On 14 February 2000, the Israeli Central Court in Nasirah sentenced these young men to imprisonment on charges of resisting the occupation. The newspaper *Quds Press* said that the court had given Wi'am Ammashah a five-year sentence of imprisonment and a suspended sentence of three years. Wa'il Najib Zahwah was given a 22-month sentence of imprisonment and a suspended sentence of 12 months and Kamal Atallah Al-Wali was given an 18-month sentence of imprisonment and a suspended sentence of 12 months.

"The Israeli military court also gave an 18-month sentence of imprisonment and a suspended sentence of 12 months to Sham Kamal Shams and a 12-month sentence of imprisonment and a suspended sentence of six months to Abbas Salih Ammashah. These youths therefore join the list of detainees from the five occupied Syrian villages, bringing to 17 the current number of detainees, who are:

Name and family name	*Village name*	*Date of detention*	*Term of sentence*
1. Bashir Salman Al-Maqt	Majdal Shams	2 July 1985	27 years
2. Hayil Husayn Abu Zayd	Majdal Shams	2 July 1985	27 years
3. Sitan Nimr Al-Wali	Majdal Shams	2 July 1985	27 years
4. Asim Mahmud Al-Wali	Majdal Shams	2 July 1985	27 years
5. Sidqi Sulayman Al-Maqt	Majdal Shams	2 July 1985	27 years
6. Amal Hamad Uwaydat	Majdal Shams	8 January 1997	7.5 years
7. Yassir Husayn Khanjar	Majdal Shams	8 January 1987	7.5 years
8. Imad Sami Mar'i	Majdal Shams	1 June 1998	7.5 years
9. Radwan Jamil Jawhari	Majdal Shams	1 June 1998	4.5 years
10. Zahir Nayif Awwad	Majdal Shams	8 June 1998	20 months
11. Fani Fahd Mahmud	Majdal Shams	8 June 1998	20 months
12. Sham Kamal Shams	Buq'ata	16 November 1999	1.5 years
13. Abbas Salih Ammashah	Buq'ata	16 November 1999	1 year
14. Wi'am Mahmud Ammashah	Buq'ata	16 November 1999	5 years
15. Mu'ayyan Faris Abu Shahin	Buq'ata	16 November 1999	1 year
16. Kamal Atallah Al-Wali	Buq'ata	16 November 1999	1.5 years
17. Wa'il Najib Zahwah	Buq'ata	16 November 1999	20 months

"They are subjected to the cruellest forms of physical and mental torture in the occupation prisons, in addition to which the Israeli authorities impose difficulties and punishments when their relatives attempt to visit them in Israeli prisons which are situated at great distances from their places of residence.

"The freed Syrian prisoner Yassir Nusrat Al-Mu'adhin spent over 10 years in the prisons of the occupation and was finally released following Arab and international pressure on account of his deteriorating state of health, the Israel occupation authorities having refused to provide him with the appropriate medical treatment and perform a kidney transplant operation on him. The interview which he gave on 7 February 2000 was testimony to the tale of daily suffering which he and the other Arabs held in Israeli prisons endured in being subjected to all forms of torture and to brutal and inhumane treatment. He cited the cruel cases of several of his fellow prisoners who, despite their youth, experienced the deliberate neglect of their conditions by the occupation authorities. He also drew attention to the fact that a long list of deformities produced by torture had emerged from Israeli prisons and detention centres, as had a list of prisoners killed in Israeli interrogation cells and prisons.

"The Israeli occupation authorities continue to practice the policy of extortion in connection with humanitarian matters and to use it as a means of exerting pressure on Syrian citizens in the occupied Golan, as they still arbitrarily prevent large numbers of them from going to

Amman in Jordan for the purpose of meeting their relatives who travel there from Damascus and other parts of the Syrian Arab Republic in order to see them.

"Students from Damascus University are also subjected to degrading ill-treatment at the Quneitra crossing point as they travel to and from the occupied Golan. They are not permitted to take the smallest gifts or even any books to their families and the occupation authorities use their agreement to the entry of such students as a means of provocation and as a bargaining tool.

"An example of this occurred when students returning for the summer break crossed over to the occupied Golan on 4 July 1999.

"Other instances of offence and arbitrary control can be cited, such as those which occur every year when clerics from the occupied Golan come to visit their Syrian motherland. On 29 August 1999, for instance, when a group of them arrived in tandem, the occupation authorities prevented several of their number from entering their Syrian motherland by requiring them to pay vast sums of money and taxes. They oblige any citizen seeking entry to pay fees of over $500 when submitting an application, a sum which is not returned if the application is refused. The following are examples of such instances:

- From the village of Majdal Shams: Yusuf Al-Sabbagh, Sa'id Ayyub, Adib Al-Sabbagh, Samih Ayyub, Anis Al-Sabbagh, Husayn Al-Maqt (an elderly gentleman who is blind) and Salim Mahmud;
- From the village of Ain Qunyah: Yusuf Al-Dimaqsi, Ali Bishara, Arif Bishara, Nabil Shamit, Ramiz Da'bus and Salih Sharaf;
- From Mas'adah: Fadlallah Rida;
- In addition, other individuals from all villages, most of them workers.

"In this same context, on 23 February 2000, press reports stated that ICRC had attempted to hold a further meeting in a tent on the ceasefire line east of Majdal Shams with families torn apart by the occupation of the Golan. The occupation authorities have so far refused their permission, bearing in mind that they cancelled this meeting after announcing the decision to annex the Golan in 1981.

"The inhabitants of the Golan continue to suffer the adversity of having to communicate through loud hailers across the ceasefire line east of Majdal Shams. This inhumane situation is responsible for several deaths which have occurred on that fabricated strip of land.

"On 9 March 2000, the occupation authorities closed the youth club in Buq'ata on the ground that it was being used as a venue for nationalist activities.

"A telling incident occurred on 25 August 1999 when the bride of the young citizen Yusuf Fayiz Al-Hilbi from Majdal Shams crossed into the Golan at the Quneitra crossing point. She entered the United Nations post in the company of two of her relatives, whose married sister, Nada Al-Hilbi, an agricultural worker in Majdal Shams in the occupied Golan, was standing at the Israeli roadblock not more than 20 metres away from the United Nations post. She requested permission to see her brothers, but the occupation authorities refused to let her cross this short distance to her brothers whom she had not seen for many years.

"Unable to tolerate this abominable repression, the woman passed out and was taken to hospital by her relatives, where she proved to have suffered a heart attack brought on as a result of the painful shock caused by an inhumane practice aimed at suppressing and controlling inhabitants.

"The Israeli occupation authorities continued implementing their inhumane measures against detainees from the Golan, which include preventing their families and relatives from visiting them in Israeli prisons and detention camps.

"The arbitrary detention practised by the Israeli occupation authorities against Arab citizens in the occupied Syrian Golan and in all of the occupied Arab territories has increased over the past year, with these authorities now carrying out more acts of repression, detentions, administrative arrest procedures, arbitrary arrests and impromptu trials which culminate, as ever, in

the pronouncement of arbitrary sentences against young Syrian Arabs from the Golan.

"XIII. Resistance to the occupation

"Our inhabitants have ceaselessly resisted the occupation of the Golan ever since it first began; they have constantly challenged and opposed all the pressures, repressive practices and violations imposed by the Israeli occupation for 33 years and still to this day.

"Our inhabitants in the Golan have resisted the attempts to impose Israeli nationality on them and clashed with Israeli occupation forces in a number of confrontations. They transformed the streets and alleys of their steadfast villages, in particular Majdal Shams, into a battlefield where they faced Israeli occupation forces, heavily armed with sophisticated weapons, with their bare hands, stones and sticks and courageously resisted all bids to seize territory. They declared various strikes and sit-ins in the course of countering the arbitrary measures of the enemy. The resistance of our inhabitants in the Golan grew, especially after the imposition of Israeli laws on the Golan in 1981, and their struggle continues to this day as they reject the occupation and affirm their tie with their land and their attachment to their Syrian Arab identity. During the past year, our inhabitants resisted the arbitrary measures and practices of the Israeli occupation authorities which violate human rights, held demonstrations and mass rallies and celebrated the national and patriotic occasions of their Syrian motherland.

"On 18 August 1999, the Sports and Cultural Union Club of Majdal Shams in the occupied Golan celebrated the arrival of the shield of the Sports and Cultural Union Club of Aleppo as a gift of fraternity with the Majdal Shams club of the same name, thus affirming the deep sense of belonging to the Syrian motherland.

"Reports from the occupied Golan (*Quds Press*) confirmed that, at the beginning of September 1999, Syrian Arab public institutions had organized a mass of activities in which thousands from the villages of Majdal Shams, Buq'ata, Ain Qunyah and Mas'adah took part in order to voice their rejection and indignation in connection with the apple festival which Israeli settlers had decided to hold in the village with the backing of the Settlements Council. In the view of Syrian citizens, the festival was intended to inaugurate the annexation of the Golan and their activities prompted the occupation authorities to detain six citizens on charges of its obstruction.

"On 20 September 1999, our inhabitants in the occupied Syrian Golan proclaimed their resentment and contempt at the ill-treatment and arbitrary measures to which a delegation of clerics in the Golan was subjected at the Israeli checkpoint upon returning from a visit to the Syrian motherland; they were grossly insulted by members of the Israeli security and police forces, who showed no respect for the clerics as individuals or for the holy uniform which they wore and also failed to demonstrate even the slightest humanity.

"On 6 November 1999, reports from the occupied Syrian Golan said that tension and unrest prevailed in the Israeli detention camps in the occupied Syrian Golan as a result of the search and repression campaigns carried out against Syrian prisoners by the occupation authorities. In protest against these practices, the detainees carried out intermittent strikes in which they asserted their rejection of all measures of Israeli repression and arbitrariness aimed at weakening them and eliminating the staunch national will inside the occupation prisons. The Syrian detainees threatened to carry out an open hunger strike if these measures continued and if the Israeli authorities failed to respond to their demands for improvement of their conditions and for a stop to any further arbitrary treatment.

"On 21 November 1999, our inhabitants in the occupied Syrian Golan issued a statement in which they avowed their attachment to their Syrian motherland and their Arab identity. They pointed out that Syrian Arab detainees inside Israeli prisons were at grave risk from the policy of repression pursued by the occupation authorities, which had prompted the prisoners to declare an initial strike during visits two months earlier and to prepare themselves for an open hunger strike.

"On the eighteenth anniversary of the unjust decision to impose Israeli laws on the occupied Arab Golan, the Syrian Arab citizens in the Golan mounted a full protest strike, affirming their continuing attachment to their Syrian Arab identity and their categorical rejection of the odious Israeli occupation of their land. On 12 December 1999, *Agence France-Presse* reported from the occupied Syrian territories that Syrian citizens in the occupied Syrian Golan had rejected the annexation decision and stressed their sense of belonging to the Syrian motherland.

"On 3 January 2000, hundreds of Syrian Arab citizens from the village of Majdal Shams demonstrated for the release of the young prisoners held in the prisons of the Israeli occupation.

"At the same time, the inhabitants of the Golan and the relatives of the Syrian prisoners in Israeli prisons gathered outside the ICRC delegation in Damascus in solidarity with these prisoners and delivered a letter to Claude Voila, the ICRC representative in Damascus, addressed to Jacob Kellenberger, the ICRC president in Geneva, in which they called for direct intervention for the release of all Syrian prisoners and detainees in Israeli prisons, particularly those who were ill. They also called for the dispatch of an international medical committee to supervise the poor health conditions of such prisoners.

"On 2 February 2000, news reports from the occupied Golan stated that the young man Ya'qub Taysir Abu Shahin had struck and injured a member of an Israeli patrol which had engaged in acts of hostility against him. The reports added that the occupation forces had then summoned five soldiers, heavily armed and with an escort of armoured vehicles, who detained the youth Abu Shahin, together with Shadid Farahat, Fadlallah Al-Wali, Farid Subh, Yahya Farahat and Majid Al-Qish, after scuffles between the two sides. This entire incident was an attempt to intimidate our inhabitants in the Golan with the approach of the anniversary of the intifada and the declaration of the open strike against annexation and occupation.

"On the eighteenth anniversary of the intifada of our inhabitants in the occupied Golan against the Israeli occupation, on 14 February 2000, the inhabitants of Ain Qunyah, Mas'adah and Buq'ata in the Golan held mass demonstrations in the village of Majdal Shams in affirmation of their adherence to their motherland, prompting major skirmishes and clashes with the Israeli occupation forces. As a result, five citizens from the Golan were injured by bullets from the occupation soldiers, who showed no hesitation in firing live ammunition at the young men, further rousing the anger of the Syrian youths, who proceeded to throw stones at the occupation soldiers who were heavily armed with sub-machine guns and backed up by armoured vehicles.

"On the other side of Majdal Shams and at Ain Tinah, large crowds gathered to express their support for the defiant stand of our inhabitants on the occupied side.

"On 2 April 2000, the inhabitants of the village of Ain Qunyah in the occupied Golan erected a sit-in tent and held a vigil in solidarity with the members of the village family of Sha'lan in a bid to prevent the occupation authorities from uprooting trees from the family's land."

D. Conclusions

127. The Special Committee takes cognizance of the position enunciated in the sixth preambular paragraph of General Assembly resolution 54/76 and in earlier resolutions of the Assembly that occupation itself represents a gross human rights violation.

128. The Special Committee believes that the observations made in September 1999 in paragraphs 251 to 265 of its report (A/54/325) continue to be valid, and reaffirms those observations once again, in paragraphs 129 to 144 below, based on and reinforced by additional information obtained by the Special Committee during its visit to the region.

129. The Israeli authorities have put in place a comprehensive and elaborate system of laws and regulations and administrative measures that affect all aspects of the lives of the Palestinian and Syrian peoples in the occupied territories. The laws and regulations are so framed that they vest in officials a considerable degree of authority and latitude over the lives of the people of the occupied territories.

130. These laws and regulations are designed to enhance the exercise of its control over the occupied territories and their population.

131. There exists an all-encompassing sense of great tension in the occupied territories, in particular during periods of crisis, and the rigorous implementation of laws and regulations and administrative measures creates a sense of fear and despondency among the inhabitants of the territories.

132. Moreover, during periods of violence, such exercise of control makes the lives of the Palestinian and Syrian peoples in the occupied territories even more unbearable.

133. Bitterness at their treatment by the authorities and the sense of dispossession, hopelessness and despair of the people of the occupied territories caused to a large extent, it seems to the Special Committee, by lack of progress in the peace process and a lack of tangible benefits for the people of the occupied territories, make the situation in those territories one of the greatest urgency.

134. The Special Committee thus welcomes the recent resumption of dialogue in the peace process.

135. While the Special Committee reiterates its regrets at the lack of cooperation from the Israeli authorities which resulted, inter alia, in its inability to visit the occupied territories, it was very pleased to receive before it a number of Israeli nationals, working in the field of human rights, who appeared before the Committee to speak about their own work with Palestinians. These instances have been referred to in the report.

136. The Special Committee noted in particular references made to what seem to be some occasions on which there were meetings between Palestinians and Israelis of the younger generation, showing what appears to be an increasing willingness to meet and communicate with one another.

137. However, the depressing contrast remains in the apparent absence among the government authorities of Israel of a sensitivity to circumstances in the occupied territories, which are not in accord with internationally accepted standards of human rights and humanitarian values.

138. As regards the general conditions of the Palestinians, the sense of alienation, exclusion and separation from their homeland experienced by them remains a matter of deep anxiety and concern.

139. The Special Committee also reaffirms the observations and recommendations made in the concluding paragraphs of its previous reports. These recommendations are set out below:

> "140. The Special Committee also recommends that the United Nations High Commissioner for Human Rights, in communication with the Secretary-General, take such measures as are appropriate to engage in consultation with the appropriate Israeli authorities with respect to the following:
>
> (a) Permitting long-separated families in the occupied Palestinian territories and in the Syrian Golan to meet freely and often;
>
> (b) The entire process of detention, including reasons for detention, renewal of periods of detention and treatment of detainees;
>
> (c) The effect of the occupation, including settlements, closures and restriction on movement, on the children of the occupied territories;
>
> (d) Facilitating access to educational centres;
>
> (e) Ameliorating the conditions under which Palestinians in Gaza travel from Gaza into Israel through the Erez border crossing.
>
> "141. The Special Committee considers it especially important that the United Nations High Commissioner for Human Rights, in consultation with the Secretary-General, establish a system of continuous communication with the Israeli authorities with a view to improving the very difficult circumstances in which the Palestinian and Syrian peoples of the occupied territories currently live."

142. The Special Committee also believes that it is important for its members to have access to the occupied territories in order to witness for itself the actual situation obtaining there with respect to the issue of human rights as well as to ascertain the views of the Government of Israel pertaining to the subject.

143. Among the witnesses appearing before the Special Committee there was a sense of hopelessness,

frustration and anger directed not only against the Occupying Power, but also against the international community, including the Special Committee itself, in connection with its inability to provide relief to the hardship experienced by the people of the occupied territories.

144. A number of persons appearing before the Special Committee spoke of the continuing violations of their human rights, for which no relief appeared to be provided. While discussions of the peace process were very desirable, it was imperative that human rights in the occupied territories should be given immediate attention and there was a feeling that this was not being done and that was the cause of great frustration.

Notes

[1] General Assembly resolution 217 A (III).

[2] See General Assembly resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 75, No. 973.

[4] Ibid., No. 972.

[5] Ibid., vol. 249, No. 3511.

[6] Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907, New York, Oxford University Press, 1915.

[7] General Assembly resolution 39/46, annex.

[8] HCJ 5100/94, *Public Committee Against Torture in Israel* v. *The State of Israel et al.* and six other petitions.

Annex

Documents and other material before the Special Committee

1. Monthly summaries of news relative to its mandate appearing in the Israeli press (*Ha'aretz* and the *Jerusalem Post* (August 1999 to April 2000)).

2. Records of testimony received from 25 witnesses during its field mission to Egypt, Jordan and the Syrian Arab Republic.

3. Official documents submitted to the Special Committee by:

(a) Government of Jordan;

(b) Government of the Syrian Arab Republic (in Arabic).

4. Written documents submitted to the Special Committee by witnesses, including photographs:

(a) The Status of Palestinian Citizen's Rights: fifth annual report of the Palestinian Independent Commission for Citizens' Rights;

(b) Palestinian Centre for Human Rights:

(i) The situation of the Arab Palestinians in Israeli Jails (documents in Arabic);

(ii) Annual report 1999: narrative and financial reports;

(c) Annual report (1 January-31 December 1999) — Al-Dameer Prisoners' Support and Human Rights Association;

(d) General Violations: Photographs and documents (Arabic) (The Democracy and Workers' Rights Centre);

(e) Settlements in the Gaza Strip (documents in Arabic) Al-Dameer Association for Human Rights);

(f) The Denial of Rights for the Residents of East Jerusalem (Economic rights of Arabs in East Jerusalem) and A Summary of the First Report: Status of Human Rights in Occupied Jerusalem and a Chronicle of the Activities of the Centre (Publications of the Jerusalem Centre for Social and Economic Rights);

(g) B'Tselem: Information Centre for Human Rights in the Occupied Territories:

(i) Legislation allowing the use of physical force and mental coercion in interrogations by the General Security Service (January 2000);

(ii) Israeli Violations of Human Rights of Lebanese Civilians (January 2000);

(iii) Israeli Violations of Human Rights of Lebanese Civilians (January 2000) Human Rights Violations of Palestinians from the Occupied Territories working in Israel and the Settlements (September 1999);

(iv) On the Way to Annexation: Human rights violations resulting from the establishment and expansion of the Ma'aleh Adumim Settlement;

(v) Families Torn Apart: Separation of Palestinian Families in the Occupied Territories;

(vi) Legislation allowing the use of Physical Force and Mental Coercion in Interrogations by the General Security Service;

(vii) Injustice in the Holy City (spring 2000);

(h) Absorption (Registration) of students in East Jerusalem Schools and their truancy from them (Palestinian Monitoring Group);

(i) Israeli Policies and Practices at the Interior Ministry Office in East Jerusalem (March 2000: Arab Thought Forum): two other documents in Arabic and a set of photographs;

(j) Rights of Palestinian Children (documents in Arabic) — Defence for Children International);

(k) Al-Haq:

(i) Landmines in the Occupied Syrian Golan;

(ii) Report of Expert Meeting on the Legal Status of Palestinian Prisoners in Israeli Jails;

(iii) Celebrating 20 Years of Human Rights Activism;

(l) Mandela Institute:

(i) Annual report 1999;

(ii) Mandela Commemorates 17 April Palestinian Prisoners' Day (press release);

(iii) Seven press releases re: political prisoners in Israeli prisons;

(iv) Documents and reports of the Public Committee against Torture in Israel;

(v) A compilation of petitions, briefs and other documents submitted to the Israeli High Court of Justice (May 1999: first edition by Allegra Pacheco).

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Letter dated 4 October 2000 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 1 August 2000, I have the honour to draw Your Excellency's attention to new violations of the Flight information Region (FIR) of Nicosia and the National Airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 2, 9, 16, 18, 21, 29 August as well as on 1, 10, 12, 14, 15, 18, 20, 21, 22, 24 September 2000.

On 2 August, one (1) cn-235 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Tymbou in the occupied area of the Republic, returning afterwards to the FIR of Ankara.

On 9 August, one (1) C-160 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting towards a southeastern direction. The C-160 aircraft returned later on the same day (9 August) and entered once again the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia before exiting towards the FIR of Ankara.

On 16 August, one (1) C-130 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Tymbou in the occupied area of the Republic, returning afterwards to the FIR of Ankara.

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On 18 August, one (1) B-200 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Tymbou in the occupied area of the Republic, returning the next day (August 19) to the FIR of Ankara.

On 21 August, one (1) F-4 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting towards a southeastern direction.

On 29 August, one (1) C-160 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting towards a southeastern direction. The C-160 aircraft returned later on the same day (29 August) and entered again the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before exiting towards the FIR of Ankara.

On 1 September, one (1) F-4 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting towards the FIR of Ankara.

On 10 September, twenty (20 Turkish military aircraft, (16) F-16, (2) C-16, (1) C-130 and (1) CN-235), entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) Two (2) C-160 and one (1) C-130 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas) before exiting in a southeasterly direction from where they returned later on the same day.

(b) The CN-235 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting towards the FIR of Ankara.

(c) Eight (8) F-16 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in a southeasterly direction.

(d) Eight (8) F-16 entered the Nicosia FIR, violating the air traffic regulations before exiting in a southeasterly direction.

On 12 September, one (1) C-130 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in southeastern direction. The same C-130 aircraft returned later, on the same day (29 August) and entered again the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before exiting towards the FIR of Ankara.

On 14 September, two (2) C-160 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Tymbou in the occupied area of the Republic, returning afterwards to the FIR of Ankara.

On 15 September, fifteen (15) F-16 Turkish military aircraft, two (2) C-160, (1) C-130 and (1) CN-235) entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, as follows:

(a) Eight (8) F-16 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas) before returning afterwards to the FIR of Ankara.

b) Two (2) C-160 and one (1) C-130 violated the national airspace of the Republic of Cyprus flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in a southeasterly direction. They returned afterwards from the same direction.

(c) One (1) CN-235 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia (Cape of Apostolos Andreas) and patrolling in a search-and-rescue mission before exiting.

On 18 September, one (1) BE-200 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Tymbou in the occupied area of the Republic, returning afterwards to the FIR of Ankara.

On 20 September, one (1) F-4 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus flying over the area of Karpasia (Cape of Apostolos Andreas), before exiting in a southeasterly direction.

On 22 September, two (2) RF-4 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Kyrenia and then over the cease-fire line and the area controlled by the Republic of Cyprus, returning afterwards to the FIR of Ankara.

On 24 September, one (1) CN-235 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations and the national airspace of the Republic of Cyprus, flying over the area of Mesaoria, before landing at the illegal airport of Tymbou in the occupied area of the Republic. The aircraft returned to the FIR of Ankara on September 29.

While strongly protesting the above actions which violate international law, as well as the Security Council resolutions on Cyprus and calling for their cessation, I would like to draw your Excellency's attention to the fact that many of the aforementioned violations of the national airspace of the Republic of Cyprus have taken place during the last round of proximity talks under your auspices, in New York. Furthermore, I would like to express the hope that the necessary positive attitude will be shown by Turkey, so that the forthcoming round of proximity talks in Geneva next month, as well as all efforts for finding a just and viable solution of the Cyprus problem on the basis of United Nations resolutions, will not be adversely affected.

I shall be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 64, and of the Security Council.

(*Signed*) Sotos **Zackheos**
Ambassador
Permanent Representative

United Nations A/55/455

General Assembly

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6 October 2000

Original: English

Fifty-fifth session
Agenda items 32 and 33

United Nations Year of Dialogue among Civilizations

Culture of peace

Letter dated 3 October 2000 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Declaration of the UNESCO International Congress on Inter-religious Dialogue and a Culture of Peace, held at Tashkent from 14 to 16 September 2000 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda items 32 and 33.

(*Signed*) Alisher **Vohidov**

00-67781 (E) 231000

Annex to the letter dated 3 October 2000 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: English and Russian]

UNESCO International Congress on Inter-religious Dialogue and a Culture of Peace, held at Tashkent from 14 to 16 September 2000

Declaration

We, the participants in the UNESCO Congress on Inter-religious Dialogue, convened jointly by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Government of Uzbekistan in Tashkent from 14 to 16 September 2000, do hereby declare that:

1. We affirm, on the basis of the rich and varied insights gained as a result of free and frank discussions on the complex issues pertaining to inter-religious dialogue, our determination to continue our efforts in furthering inter-religious dialogue and cooperation as an important positive step in the struggle for a culture of peace;

2. We address our recommendations for consideration and implementation by religious leaders, UNESCO and the international community;

3. We express our special thanks and appreciation to His Excellency Islam Karimov, President of Uzbekistan, and His Excellency Koichiro Matsuura, Director-General of UNESCO, for their initiative to convene this Conference and for their inspiring messages;

4. We express our gratitude to the Government and the people of the Republic of Uzbekistan for their generous hospitality and goodwill.

Recommendations

1. Since all religions uphold peace and harmony as an objective of supreme importance and the ethical mission of UNESCO is to promote peace for brotherhood and solidarity among nations, all forms of extremism and terrorism should be condemned.

2. As misunderstandings and misinterpretations between religions, spiritual traditions or cultures arise from ignorance and mutual lack of knowledge, priority should be given to promoting the study and appreciation of all religions at all levels through informal, formal and non-formal education.

3. As memories of past experiences should not be obstacles to mutual recognition and esteem of religions if they are viewed from neither a desire for revenge nor a sentiment of hate, inter-religious dialogue should, where possible, be directed towards facing the past so that memories of past discrimination, persecution and hostilities might be overcome and fraternal solidarity developed between religious groups for the future.

4. To support inter-religious dialogue, UNESCO should:

(a) Work with other international institutions, Governments and religious leaders to develop education at all levels based on a pluralistic and dialogue-based approach;

(b) Support the production of educational materials to foster a better understanding of different religions as an integral part of the "History of the Civilization of Central Asia" and "East-West Intercultural Dialogue in Central Asia" programmes;

(c) Actively encourage and participate in developing cooperation among University Chairs and Departments of Religious Studies and Culture.

5. UNESCO and other related institutions should explore ways and means to:

- Promote and protect with legislative measures, where possible, the freedom of religion and beliefs;
- Prevent intolerance and discrimination based on religion and beliefs;
- Enhance dialogue and cooperation among religions;
- Encourage and support reflection on the place of religion in society and in the State;
- Study the effect of secularism on inter-religious dialogue; and
- Engage in dialogue with all religions in a spirit of pluralism and openness, respecting the principle of the equality of religions.

6. For the purpose of conflict prevention and resolution, religious leaders and institutions, with the support of UNESCO, international institutions, UNESCO goodwill ambassadors and figures of authority, where possible, should:

(a) Work with academic institutions and with one another across religious and cultural boundaries in a respectful spirit of dialogue to promote peace and harmony;

(b) Support efforts to promote education for international understanding;

(c) Foster and encourage wider discussion of potentially conflicting and morally challenging societal issues among the general public as well as meetings of figures of authority; and

(d) Seek and involve the cooperation of networks of institutions and organizations dedicated to peace and conflict resolution.

7. Further for the prevention of the outbreak of violent conflict, UNESCO and international institutions should:

(a) Undertake strategic assessment of the causes and circumstances which could potentially draw religions into supporting violence and/or adopting extremism;

(b) Develop consultative mechanisms and processes between religious communities and Governments as a means of resolving disputes and drawing on religious capacities;

(c) Consider fielding proactive missions of religious conflict-resolution experts at the request or with the consent of the State or States concerned; and

(d) Promote the sharing of information, experiences and resources on religious rights and conflict resolution through all available media.

8. Religious leaders are requested to build solidarity for the well-being of all people, paying special attention to the forgotten poor and exploring imaginative ways and means of ensuring a happy life for all.

United Nations A/55/456

General Assembly

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Fifty-fifth session
Agenda item 84
United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*

Rapporteur: Mr. Hans **Brattskar** (Norway)

I. Introduction

Origin and background of the Working Group

1. The Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established by the General Assembly in resolution 2656 (XXV) of 7 December 1970 to study all aspects of the financing of the Agency. In that resolution, the Assembly requested the Working Group to assist the Secretary-General and the Commissioner-General of UNRWA in reaching solutions to the problems posed by the Agency's financial crisis.

2. At the twenty-fifth session and all those which followed, the Assembly considered the reports submitted to it by the Working Group[1] and adopted resolutions commending the efforts of the Working Group and requesting it to continue them for a further year.[2]

3. The Working Group consists of the representatives of France, Ghana, Japan, Lebanon, Norway, Trinidad and Tobago, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Chairman of the Working Group is Mehmet U. Pamir (Turkey).

II. Activities of the Working Group during 2000

4. Throughout 2000, the members of the Working Group have followed with concern the difficulties experienced by the Agency and, in particular, the serious financial situation it continued to face. The Working Group held two meetings, on 11 September and 6 October 2000, to consider the recent developments in the Agency's financial situation and to prepare its report to the General Assembly. The Working Group adopted its report at its 124th meeting, on 6 October.

5. At its 123rd meeting, on 11 September, the Working Group heard a statement by the Commissioner-General of UNRWA, who submitted an up-to-date report on the financial situation of the Agency. The Working Group gave further

* In accordance with General Assembly resolution 54/248, sect. C, para. 1, this report is being submitted on 6 October after its adoption by the Working Group.

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consideration to the report of the Commissioner-General at its 124th meeting on 6 October 2000 (see sect. III below).

III. Financial situation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

6. UNRWA once again faced a critical financial situation in 1999 which has continued into the present year. In 1999, UNRWA received income of $260.7 million against a cash budget of $322.1 million, leaving a deficit of some $61.4 million in the cash budget. In cash terms, the Agency ended the year with a balance of $14 million in its General Fund, although that amount included $12 million advanced from year 2000 pledges in order to enable the Agency to meet its December payroll.

7. Deficits in the cash budgets for previous years had been covered out of working capital, a reserve that had been virtually depleted by the beginning of 1999. Working capital (the difference between assets and liabilities in the regular budget for a calendar year) stood at $10.4 million at the end of 1999, although funds earmarked to procure basic commodities accounted for $14.5 million worth of liabilities, leaving real working capital for the cash budget at a negative level of minus $4.1 million. This level of working capital reserves fell far short of the minimum level of $25 million, representing average monthly expenditure (of which $17 million was for the Agency's payroll for some 21,000 area staff). Since cash income in 1999 fell far short of the regular budget, the Agency was obliged to carry forward the austerity measures implemented since 1997 and before. Cash expenditure in 1999 was also reduced slightly by the adoption of other measures, including managed vacancy rates and delayed recruitment for international and local staff posts, as well as the non-use of certain budget lines as a result of stricter financial controls. These measures, on top of the austerity measures already in place, had an unavoidable negative impact on the Agency's ability to deliver services at their preferred levels of quantity and quality.

8. Repeated funding shortfalls in recent years have severely eroded the cash position of UNRWA, as measured by the amount of cash on hand that could be used to meet basic obligations. The continuing poor financial situation in 1999 made it impossible to build working capital. Yet, there were still at the end of 1999 outstanding and unpaid pledges amounting to $36.9 million: $12.7 million pertaining to the regular budget and $24.2 million to project funding. Further strain was exerted on the cash position of UNRWA by the non-reimbursement by the Palestinian Authority of the value-added tax that the Agency had paid in the course of its operations in the Gaza Strip and West Bank. This totalled some $18.5 million by the end of June 2000. In addition, some $4.5 million for port charges remained to be recovered at the end of June 2000. There also remained a shortfall in funding for the European Gaza Hospital, and a deficit of $5.2 million in the account set up to fund the costs of transferring UNRWA headquarters from Vienna to Gaza and Amman. That move was completed in 1996 but the budget for it remained underfunded and costs had to be met on a temporary basis from other accounts.

9. By the end of June 2000, the Agency faced the prospect of a deficit in its regular cash budget for the current year of $27 million by the end of the year. Income for the year was expected to be $253 million, against a cash budget of $280 million. Meeting with the Working Group in New York on 11 September 2000, the Commissioner-General of UNRWA said that, as in previous years, the Agency faced the prospect of not being able to meet its operating costs in 2000, including its payroll obligations later in the year. On 26 September, at an informal meeting of the Agency's major donors and authorities hosting the refugees, held at Amman, the Commissioner-General said that, while contributions from most donors had increased in terms of their national currencies since 1995, the increases had not offset the negative impact of exchange rate fluctuations against the United States dollar, the currency used in calculating Agency expenditure. He noted that the Agency had, at that stage, lost more than $10 million in income in 2000, mainly as a result of the devaluation of one currency, the euro, against the dollar.

10. In recent years, the Agency's major donors have responded repeatedly and generously to the special appeals made by the Secretary-General and the Commissioner-General for the funding of the regular and project budgets of UNRWA. At the most recent consultations held at Amman in September 2000, several donors announced new pledges, including one

of an additional $9 million from a major donor for the current year. Once again in 1999 and 2000, the Commissioner-General and his colleagues have made strenuous efforts to keep donors informed, through the sharing of quarterly financial reports and the holding of regular consultations with donors and the host authorities. At the same time, the Agency continued to try to attract a reliable, sustainable flow of funds so that stopgap measures were not depended upon to meet ongoing and growing funding needs. In that context, UNRWA had appealed to donors to make payments of pledged contributions earlier in the calendar or budget years, and to ensure the payment of pledges on time.

11. The Commissioner-General told the Working Group on 11 September that a new budget format adopted by the Agency for the biennium 2000-2001 had been well-received by the major donors, as it had been previously by the Advisory Committee on Administrative and Budgetary Questions. He said, however, that the warm reception had unfortunately not been translated into the significant additional resources that the Agency had hoped for in order to bring funding up to the levels required to meet increasing refugee needs. The new budget format would be used as a management tool throughout the biennium to monitor output against plans and to reallocate resources as required.

12. New policies had also been adopted in 1999 for the engagement of area staff, beginning with teachers recruited for the 1999/2000 school year. Under these new policies, staff previously working on temporary contracts were offered fixed-term contracts with an improved package of entitlements. This was seen as a significant change in the employment practices followed by the Agency over the past few years, which could over the long term afford significant savings in expenditure on local staff costs while fulfilling the Agency's desire to be as fair and competitive an employer as its financial circumstances allow. With donor support, the Agency had also developed proposals for replacing its existing financial management and payroll systems and a new system is expected to be put into operation during 2001.

13. The share for 2001 of the UNRWA budget for the biennium 2000-2001, approved by the General Assembly at its fifty-fourth session, is some $310.4 million, of which the cash element is $289.7 million, compared with an expected cash expenditure of $280.4 million in 2000. The budget for the biennium 2000-2001 made no provision for the cost of termination indemnities for the Agency's area staff, which were estimated at some $145 million.

IV. Concluding remarks

14. The Working Group is once again deeply concerned about the financial prospects for UNRWA, in particular after eight years of austerity measures which have eroded the level and quality of the services provided by the Agency to 3.7 million Palestine refugees. The Group emphasizes that it is the responsibility of the international community to ensure the maintenance of UNRWA services at acceptable levels, in terms of quantity and quality, as defined by the needs of the refugee community, and to ensure that service levels keep pace with the steady natural growth of the refugee population.

15. The Working Group appreciates that UNRWA has made significant progress towards eliminating the structural deficit problem that plagued the Agency in previous years, in particular through the use of contract teachers, reductions in international staffing and other reforms. The Group commends the Commissioner-General and all UNRWA staff for their tireless efforts to maintain the basic operations of the Agency, despite the constraints on the availability of resources that they have faced. It commends the Commissioner-General also for his fund-raising efforts and for his commitment to keeping the major donors and host authorities informed and involved, opening new avenues of support and funding and seeking a broader base of donors. The Group calls for the early and complete fulfilment of pledges and other commitments to the Agency, in particular the reimbursement of value-added tax and other charges by the Palestinian Authority, and the payment of funds for the European Gaza Hospital and for the move of UNRWA headquarters to the area of operations.

16. The Working Group expresses alarm at the continuing negative effect of austerity measures on the Agency's humanitarian operations. These measures have prevented programmes from expanding at a rate commensurate with the growth in the refugee population, necessitated curtailments in ongoing programme activities, and precluded certain actions which would normally be part of the Agency's regular programme of work. Most seriously, these measures have led to increased class sizes in Agency schools,

rising patient/staff ratios in the health services, and higher caseloads for social workers dealing with the poorest refugees.

17. The Working Group is pleased to note the introduction of regularized conditions of employment for staff who had been working on temporary contracts, and the adoption of new staff policies that will facilitate the employment of fixed-term staff on equitable terms. Over the long run, this could make a significant contribution to the reduction of costs, in particular in the Agency's largest programme, education. The Working Group appreciates, however, that this action is not a long-term solution to securing the funding of the Agency's regular activities on a sustainable basis. As for the effects of other austerity measures, the Group is concerned that freezes on regular budget allocations for university scholarships, rehabilitation of shelters and selective cash assistance have not only reduced the Agency's activities in those areas, but made them dependent on extrabudgetary contributions; that cuts in allocations for maintenance of facilities have led to the deterioration of the Agency's extensive physical assets; and that reductions in hospitalization allocations have meant that some patients who require hospital care may be unable to receive it. The Group is gravely concerned at the impact of these measures on the lives of the Palestine refugees, in particular in the areas of education and health care. The Group fears that additional austerity cuts could cause severe social and economic hardship to an already suffering refugee population, and that this would put an increased burden on the authorities hosting the refugees. The Group continues to believe that UNRWA plays a vital role in preserving the stability and security of the region, and that adequate funding of the Agency's programmes is essential to ensuring this.

18. The Working Group agrees that the problem of the refugees is deeply rooted in a political issue which originated more than half a century ago, and that it remains essential to settle this problem once and for all in accordance with all relevant United Nations resolutions. The problems faced by the refugees today are, however, humanitarian ones that must be addressed as a shared international responsibility. The services provided by UNRWA must be viewed as the minimum required to enable the refugees to lead decent human lives. Any further reduction in those services would not only unfairly deprive the refugees of the minimum level of support to which they are entitled, but could also have a destabilizing effect on the entire region. Above all, the Group expresses the hope that the international support for UNRWA embodied in the resolutions adopted each year by the General Assembly, in which the Assembly recognizes the importance of the work of the Agency and requests that Governments contribute to it, should be translated into measures to ensure the survival of the Agency on a secure financial basis.

19. The Working Group therefore strongly urges all Governments to bear in mind the foregoing considerations when deciding upon the level of their contributions to UNRWA for 2001 and, once again:

(a) Urges Governments that have not yet contributed to UNRWA to start to do so;

(b) Urges Governments that have so far made only relatively small contributions to increase their contributions;

(c) Urges Governments that in the past have made generous contributions to UNRWA to continue to do so in a timely manner and to strive to increase them;

(d) Urges Governments that traditionally have shown special interest in the welfare of the Palestine refugees, both in the region and beyond, to begin contributing or to increase their contributions;

(e) Urges Governments to consider making special contributions sufficient to cover the deficit and build up working capital, so that UNRWA services can continue uninterrupted and the Agency can restore services cut as a result of the austerity measures, and to ensure that donor support of emergency-related and special programmes or capital projects does not in any way decrease or divert contributions to the Agency's regular programmes.

Notes

[1] For the consideration of the most recent report of the Working Group (A/54/477), see A/54/575.

[2] The most recent resolution being General Assembly resolution 54/70.

United Nations A/55/457

General Assembly

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Fifty-fifth session
Agenda item 15 (a)
Elections to fill vacancies in principal organs: election of five non-permanent members of the Security Council

Identical letters dated 6 October 2000 from the Permanent Representative of Togo to the United Nations addressed to the President of the General Assembly and to the Secretary-General

In my capacity as representative of the current Chair of the Organization of African Unity (OAU), I have the honour to transmit to you, annexed hereto, the text of the communiqué dated 3 October 2000 from the current Chair of OAU concerning the organization's support for the candidature of the Sudan for a non-permanent seat on the Security Council for the period 2001-2002 (see annex I).

Kindly also find, annexed hereto, the letter dated 3 October 2000 from the Permanent Observer of OAU to the United Nations, setting out the process that led to such a decision (see annex II).

I should be grateful if you would have this letter and its annexes circulated as a document of the General Assembly under agenda item 15 (a).

(*Signed*) Roland Y. **Kpotsra**
Permanent Representative

00-67846 (E) 061000 061000

Annex I to the identical letters dated 6 October 2000 from the Permanent Representative of Togo to the United Nations addressed to the President of the General Assembly and to the Secretary-General

[Original: English and French]

Communiqué of the current Chair of the Organization of African Unity

The attention of the current Chair of the Organization of African Unity (OAU) was drawn to the controversy presently surrounding the candidacy of the Sudan to a non-permanent seat of the United Nations Security Council for the period 2001-2002.

In this regard the current Chair of the OAU wishes to stress the following:

As was extensively explained by Dr. Salim Ahmed Salim, Secretary-General of OAU, during a meeting with the African Group in New York, African candidatures to United Nations positions or bodies are generally not discussed directly by the Heads of State. Once the recommendations contained in the report of the OAU Ministerial Committee on Candidatures are adopted by the Council of Ministers in a plenary session, they are considered automatically as having received the seal of approval of the Organization, and therefore are not further discussed by the Assembly of Heads of State and Government.

In the present case which has triggered a controversy, the current Chair of OAU wishes to recall that the candidature of the Sudan was indeed endorsed by the Council of Ministers very late in the night of 11 and 12 July 2000 after the Minister of Foreign Affairs of the Republic of Congo submitted the report of the OAU Committee on Candidatures.

Regarding the circumstances surrounding the adoption of the report of the OAU Committee on Candidatures, the current Chair would like to point out that, when the issue of African candidatures came up during the last in-camera meeting of the Summit in Lomé, the current Chairman, when adjourning the meeting, mandated the Council of Ministers to hold a meeting immediately afterward, in order to discuss and adopt the recommendations contained in the Report of the OAU Committee on Candidatures, which the Council of Ministers was not able to do earlier due to lack of time.

The recommendations of the Council of Ministers relating to candidatures are reflected in the document circulated to Member States by the General Secretariat of the OAU, and communicated to the United Nations under reference CM/Doc.546 (LXXII) Rev.1.

As for the consultations that the current Chairman of OAU is said to have promised to conduct, it is important here again to refer to the OAU procedure on the endorsement of candidatures, and to keep in mind the chronological sequence of events. On the basis of these factors, it seems evident that the Chairman having adjourned the Summit meeting and requested the Ministers to meet immediately afterwards in order to fulfil their mandate, could not, at the same time, have promised to carry out consultations on the outcome of the deliberations of the Ministers.

The response given by the current Chairman of OAU to the President of the Republic of Uganda, on 24 August 2000 when he received the Special Envoy of the President of Uganda, was very clear in this regard. On that occasion the current Chairman confirmed that the consensus reached by OAU was to support the candidature of the Sudan for election to the Security Council.

Taking into account the concerns expressed on this matter, the current Chairman considered that he would not mind if consultations took place between Uganda and the Sudan provided that they lead to a solution satisfactory to both sides.

Finally, the current Chair of OAU wishes to recall that, at his meeting with the African Group on 12 September 2000, on the margin of the fifty-fifth regular session of the United Nations General Assembly, the current Chairman stressed in particular the need for the African Group to give precedence to unity and solidarity, to show cohesion and as far as possible, to speak with a single voice when taking a stand on issues considered by the Assembly and the Security Council.

Only then, he said, will Africa be able to avoid and foil the divisive manoeuvres from outside, and effectively defend her own interests.

Done at Lomé on 3 October 2000

Annex II to the identical letters dated 6 October 2000 from the Permanent Representative of Togo to the United Nations addressed to the President of the General Assembly and to the Secretary-General

[Original: English and French]

I have received a copy of the letter referenced UN/PR/PRES/00/09 dated 25 September 2000, that the Permanent Representative of Uganda addressed to you in your capacity as Chairman of the Candidatures Committee of the African Group.

Considering the serious allegations contained in the said letter, I feel bound to make the following clarifications:

1. On a matter of procedure

The Secretariat is surprised to note that a communication that was intended for the Chairman of the Candidatures Committee and, presumably, for the attention of the members of that Committee was copied to all Permanent Representatives, Permanent and Observer Missions to the United Nations in New York, including non-African States. For the purpose of providing clarity and correcting the misrepresentations, as well as the distortion of facts contained in the Ugandan letter, the Secretariat is compelled to ensure that its reaction to that letter is also widely circulated to the Missions to which the original letter under reference was addressed.

2. On substantive matters

With respect to paragraphs 7, 8 and 9 of the letter, the Secretariat wishes to state as follows:

(i) In paragraph 7, the letter states: "After the Summit had closed, the Foreign Minister of Togo called a meeting of Foreign Ministers which was actually a rump. He attempted to endorse Sudan. This meeting was irregular because the Summit had closed."

(ii) The above statement is factually incorrect. The fact of the matter is that the Summit actually closed on 12 July 2000, and not on 11 July, as the Ambassador would want those he addressed his correspondence to believe. What actually happened was that when the Chairman adjourned the deliberations of the Summit on 11 July 2000, he directed the Chairman of the Council of Ministers, and Minister of Foreign Affairs of Togo, to convene a meeting of the Council to consider the recommendations of the Ministerial Committee on Candidatures. It should be recalled that because of logistical problems, it was not possible for the full session of the Council to meet to adopt the recommendations of the Committee on Candidatures before the Summit was opened.

(iii) In view of the mandate given to the Current Chairman of the Council of Ministers to convene a meeting of the Council after that night's session of the Assembly, an announcement was made requesting all Ministers to remain behind in the Hall for a resumed meeting of the Council. That meeting took place subsequently with many Foreign Ministers participating. At no time did the Chairman of the Council of Ministers attempt to endorse the candidature of Sudan. After the introduction of the report of the Candidatures Committee by its Chairman, the Foreign Minister of the Republic of Congo, there was a lengthy discussion by the Ministers, during which the delegations of Sudan and Mauritius stated their respective positions. At the end of the deliberations, the Council of Ministers adopted the recommendation of the African Group in New York which, in turn, was endorsed by the OAU Ministerial Candidatures Committee, to the effect that Sudan should be OAU's candidate for the Security Council seat for the African region. Several other candidatures on other bodies were endorsed in the same decision.

(iv) There was no special or individual invitation to Foreign Ministers to attend the meeting and it is usual that during sessions of the Policy Organs of the OAU, announcements are made for the convening of meetings which are not among the scheduled meetings of such sessions. It is up to individual Member States to ensure their representation and participation at such meetings. The failure to participate at such meetings by one Member State should not under normal circumstances prevent the Policy Organ from

taking a decision on behalf of the Organization. It was, therefore, not possible to issue a special invitation to the two Ministers from Uganda, as it was very clear that the delegation of Uganda was in the Hall when the announcement was made to resume the meeting of the Council of Ministers after the session of the Assembly was adjourned.

(v) The Secretariat takes very strong exception to the content of paragraph 9 of the Ugandan Permanent Representative's letter which states: "REGRETTABLE: it is unfortunately regrettable that the OAU Secretariat which should be the custodian of veracity and impartiality as far as procedure are concerned, has chosen to give misleading information".

(vi) The Secretariat unreservedly rejects both statements on the ground that they seek to make unacceptable imputations on the integrity and neutrality of the Secretariat in dealing with issues that are of interest to Member States. The role of the Secretariat is to faithfully reflect decisions of the Policy Organs of the Organization and to implement them as decided. The Secretariat has not either in this case or in any other situation involving Member States of the Organization, deliberately and consciously attempted to mislead or has misled Member States. By the same token, the role of the Secretariat is not to change decisions that are taken by Member States to favour one or another Member State. In this particular case, the Council of Ministers met and took a conscious decision to endorse the recommendation of the Committee on Candidatures including the candidature of Sudan and this is what the Secretariat reflected in its document on the decisions of the Lomé Sessions of the Council of Ministers and the Assembly of Heads of State and Government. This specific decision is reflected in OAU document CM/Dec.517-546 (LXXII) Rev.1, as Council decision CM/Dec.546 (LXXII). It is this same, narrative account that the OAU Secretary General provided at his meeting with the African Group in New York on 15 September 2000.

(vii) The Secretariat wishes to state categorically that it has no other interest in the matter of the filling of the non-permanent seat of the United Nations Security Council, than to serve the best interests of the African continent. It has no favoured Member States and between the Sudan and Mauritius, the Secretariat has not and will never show any preference for one over the other, because the Secretariat exists to serve and service its Member States and to act with transparency and credibility at all times. However, the Secretariat is duty bound to respect and implement decisions adopted by the Policy Organs of the Organization in accordance with its rules of procedure and established practices.

(*Signed*) Amadou **Kebe**
Ambassador
Permanent observer

United Nations A/55/458

General Assembly

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Fifty-fifth session
Agenda items 116 and 129

Review of the efficiency of the administrative and financial functioning of the United Nations

Financing of the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola

Procurement reform and measures taken to improve procurement activities in the field

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on procurement reform (A/55/127), submitted pursuant to General Assembly resolution 54/14 of 29 October 1999. The Committee also considered the report of the Secretary-General on the measures taken to improve procurement activities in the field (A/54/866), submitted in accordance with the request made by the General Assembly in resolution 54/17 of 29 October 1999. During its consideration of the reports, the Committee met with representatives of the Secretary-General who provided additional information and clarification.

Procurement reform (A/55/127)

2. **The Advisory Committee commends the Secretary-General for the efforts made and measures taken to reform and improve the procurement functions at Headquarters, as seen in the responses contained in document A/55/127 to the requests made by the General Assembly in its resolution 54/14, and as communicated orally to the Committee during its consideration of the report. The Committee encourages the Secretary-General to include information on such initiatives in subsequent reports, as well as an indication of areas where further improvements can be achieved. The Committee also recommends that, when referring to specific General Assembly requests, statistics be included, where possible, to support the information provided.**

3. The Committee notes that the goals of the initiatives include the following: to further enhance transparency, to streamline the procurement process, to improve geographical spread, to become more customer oriented and to achieve greater accountability.

4. The Committee notes that key changes have been made in the Procurement Division's Internet/Intranet web site, allowing dissemination of information through electronic means in addition to that available through traditional means, and also providing a management tool which allows the monitoring of the system and increases the accountability of staff involved in the process.

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5. The Committee notes that the improvements to the web site include comprehensive information on the Procurement Division and the procurement functions of the Organization, including organizational charts and contacts, guidelines that sum up the process, lists of all systems contracts, and the text of the procurement manual with revisions posted simultaneously. The system in place allows for the posting of contract awards on a daily basis and in detail (names, addresses of vendors, value of each contract), and provides an instrument to track requisitions. **The Committee is of the opinion that experience with the Internet site should be shared with other entities of the United Nations system, in particular the funds and programmes, as indicated by the Committee in its report to the General Assembly at its current session on the report of the Board of Auditors. The Committee also requests the Secretary-General to ensure that the information contained in the web site is updated on a regular basis.**

6. **In view of the considerable decentralization in peacekeeping procurement and the fourfold increase in delegated authority, from $50,000 to $200,000, the Committee remains convinced that the Secretary-General must ensure that there is capacity at the receiving end to perform the procurement functions properly, as well as a mechanism at the central level to monitor those capacities. In this regard, the Committee recalls the comments made in its report on the report of the Board of Auditors (A/54/801, para. 19), where it indicated that in view of the decentralization in peacekeeping procurement and increase in delegated authority, Headquarters should have an effective and efficient mechanism for monitoring procurement in the field. Moreover, the workload and functions of all relevant units involved in the procurement process should be assessed to guarantee that each is planning and performing with optimum efficiency; proper training for improving the skills of personnel involved in the procurement process must be ensured.**

7. In paragraph 27 of the Secretary-General's report (A/55/127), a number of initiatives taken by the Procurement Division to increase the procurement of goods and services from developing countries and countries with economies in transition are indicated. The Committee notes, as indicated therein, that a number of seminars (21 of 24 in such countries) will be held as a result of a combined initiative between the Procurement Division and host countries. A schedule for 2000, provided, upon request, to the Committee is annexed to the present report. The Committee was informed that this list includes all seminars scheduled, including those initiated, organized and funded by host countries.

8. **The Committee believes that the Procurement Division must ensure that its human and financial resources are adequate to allow it to fully comply with the terms of General Assembly resolution 54/14.** In this regard the Committee was informed, upon request, that for the biennium 1998-1999, the travel budget for the Division amounted to $8,000 and for the biennium 2000-2001 it amounts to $71,000. The Committee was also informed that the Procurement Division intends to seek some increase in its travel budget for the next biennium to enable other staff members to accompany their more senior colleagues as "on-the-job" training on procurement briefing; this would help ensure that the limited management capacity in the Division is not overly taxed, as it currently is owing to the great increase in procurement for peacekeeping this year. The Committee was informed that additional staffing requests would be considered only if the increase in workload is expected to extend over a longer period of time.

9. Section VIII of the report refers to the question of preferential treatment of vendors from developing countries and countries with economies in transition, taking into account the experience, in this regard, in the funds and programmes of the United Nations and other intergovernmental institutions, as requested by the General Assembly in its resolution 54/14. **On the basis of the reply contained in paragraph 26 of the Secretary-General's report, the General Assembly may wish to consider issuing further policy guidelines if the matter is to be pursued.**

10. As regards the request made by the General Assembly in paragraph 29 of resolution 54/14, the Committee notes from the response given in the Secretary-General's report that the revision of the financial regulations relating to procurement has been completed in draft form, and is currently under review and approval by the Department of Management, which plans to issue the overall package of revisions. The Committee was further informed that the Secretariat expected to issue the revisions before the end of 2000 as indicated in the report. The Committee was also

informed, upon enquiry, that this revision is the first step of a two-step process.

11. The second step, which is not covered in the Secretary-General's report, and which it is anticipated will be implemented beyond 2000, relates to an entirely new set of procurement-related regulations and rules proposed by the Common Services Working Group on Procurement, containing two substantive changes, namely, the appointment of a Chief Procurement Officer who, acting on the delegated authority of the Secretary-General, would be responsible and accountable for all procurement policies and practices, and the inclusion of the "best value" concept in the procurement process. As further indicated to the Committee, this concept would replace the present criteria of "lowest acceptable bid" in the evaluation of offers by factoring into the evaluation other relevant criteria, besides price, that determine true value, such as life cycle and maintenance costs.

12. These proposed common procurement-related financial regulations and rules were recently adopted by the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA) and the United Nations Office for Project Services after approval by the UNDP/UNFPA Executive Board. **Under the circumstances, the Advisory Committee requests that the Secretary-General provide clarification and greater detail on this initiative to the Fifth Committee so that the General Assembly may take appropriate legislative note of his intentions in this regard.**

13. Paragraph 33 of the Secretary-General's report refers to the system to measure the efficiency and cost-effectiveness of the procurement function requested by the General Assembly. The Committee notes that there is no mechanism or methodology to measure the performance of the procurement function within the United Nations system at present. The Committee was informed that this matter is currently being reviewed with the help of outside expertise.

Measures taken to improve procurement activities in the field (A/54/866)

14. The Committee recalls that the General Assembly in its resolution 54/17 called upon the Secretary-General to provide additional information on measures taken to improve procurement activities in the field and to enhance control and accountability, within the context of his report on management irregularities (requested by the Assembly in resolution 53/225). The Committee notes that a follow-up report on management irregularities causing financial losses to the Organization has been submitted by the Secretary-General (A/54/793). The comments and observations of the Committee in this regard will be submitted to the General Assembly at its current session.

15. In resolution 54/17 the General Assembly also requested the Secretary-General to submit a report, prior to the second part of its resumed session, providing a concrete plan to correct procurement-related problems in peacekeeping operations, which should include (a) remedial measures taken to address problems identified with regard to the United Nations Observer Mission in Angola and other peacekeeping missions; (b) standardization of the corrective measures taken for existing and future peacekeeping operations; (c) a description of how accountability was pursued in the cases of individuals found to have engaged in fraud, mismanagement or abuse, and how accountability measures would be applied in the future.

16. The Committee notes that the report submitted by the Secretary-General (A/54/866) refers to these aspects in a general way, mostly providing the symbols of several reports which have dealt with or addressed these issues. Although the Committee is aware of those reports and their content, and of the initiatives and measures taken as indicated therein, it is of the opinion that the request for "a concrete plan" to correct those procurement-related problems could have warranted a presentation in the Secretary-General's report in a unified, comprehensive and detailed manner.

Annex

List of business seminars/meetings attended and proposed for 2000

Schedule	*Location*	*Number of participants*
February	Paris	[a]
February	Montreal, Canada	100
March	Chicago, United States of America	[a]
April	Mexico City	63
May	Beijing	250
May	Santiago	90
June	South Africa	
	Johannesburg	170
	Port Elizabeth	45
	Cape Town	75
	Durban	50
	Nairobi	203
	Kampala	68
	Addis Ababa	70
	The Hague	114
September	Moscow	
	Saudi Arabia	
	Riyadh	
	Dhahran	
	Jeddah	
	Guangzhou, China	
	Seoul	
	Yaounde	
	Abuja	
	Cairo	
November	Delhi	
	Italy (postponed to February 2001)	
December	Montevideo	
	Buenos Aires	

[a] Number of participants not available

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Agenda items 42, 94 (e), 95 (a), 101, 102, 110, 112, 116, 117, 118, 119, 122, 153, 169 and 179

Special session of the General Assembly in 2001 for follow-up to the World Summit for Children

Sustainable development and international economic cooperation: implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II)

Environment and sustainable development: implementation of Agenda 21 and the Programme for the Further Implementation of Agenda 21

High-level international intergovernmental consideration of financing for development

Third United Nations Conference on the Least Developed Countries

Promotion and protection of the rights of children

Elimination of racism and racial discrimination

Review of the efficiency of the administrative and financial functioning of the United Nations

Programme budget for the biennium 2000-2001

Programme planning

Improving the financial situation of the United Nations

Scale of assessments for the apportionment of the expenses of the United Nations

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Scale of assessments for the apportionment of the expenses of United Nations peacekeeping operations

Review of the problem of human immunodeficiency virus/acquired immunodeficiency syndrome in all its aspects

00-67855 (E) 101000

Letter dated 5 October 2000 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the Ministerial Statement adopted on the occasion of the twenty-fourth annual meeting of the Ministers for Foreign Affairs of the Group of 77, held at United Nations Headquarters on 15 September 2000.

On behalf of the Group of 77, I would highly appreciate it if you could arrange for the present letter and its annex to be circulated as an official document of the fifty-fifth session of the General Assembly, under agenda items 42, 94 (e), 95 (a), 101, 102, 110, 112, 116, 117, 118, 119, 122, 153, 169 and 179.

(*Signed*) Arthur C. I. **Mbenafo**
Ambassador
Chairman of the Group of 77

Annex to the letter dated 5 October 2000 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General

Ministerial statement adopted at the twenty-fourth annual meeting of the Ministers for Foreign Affairs of the Group of 77, New York, 15 September 2000

We, the Ministers for Foreign Affairs of the Group of 77 and China, convened at the twenty-fourth annual meeting at United Nations Headquarters on 15 September 2000,

(a) Reaffirm the Declaration of the South Summit (A/55/74, annex I). We commit ourselves to the speedy and effective implementation of the Havana Programme of Action (A/55/74, annex II) and other decisions adopted by the Summit;

(b) Commend the Government and people of Cuba for hosting the first South Summit, in Havana, from 10 to 14 April 2000. We express our profound gratitude for the excellent arrangements that facilitated the success of the Summit;

(c) Deeply commend the inspiring leadership of the Chairman of the Group of 77 in New York and the dedication of the staff of the secretariat in the preparation and organization of the South Summit, and commit ourselves to the speedy and effective implementation of the provisions of the institutional follow-up to the Programme of Action adopted by the South Summit, aimed at upgrading the current structures of the Office of the Chairman of the Group of 77 into a compact executive secretariat in New York, and urge all member States generously to support the ongoing process by meeting in a timely manner their annual financial contributions, as agreed in the Havana Programme of Action;

(d) Express appreciation to our Heads of State and Government for the efforts of the five Heads of State and Government to facilitate the implementation of the other decisions taken by the Summit;

(e) Decide to establish an ad hoc open-ended Working Group of the Group of 77 to discuss modalities for the implementation of and follow-up to the Havana Programme of Action and other decisions. The mandate of the Working Group includes preparation of recommendations on the operationalization of all decisions of the Summit, as well as on the proposals contained in the present and final versions of the report of the five Heads of State and Government. We request the Working Group to submit its report to the Chairman of the Group of 77 in New York by February 2001;

(f) Welcome the progress achieved by the Intergovernmental Preparatory Committee for the Third United Nations Conference on the Least Developed Countries, held in New York from 24 to 28 July 2000. We fully endorse the proposal for the convening of a meeting of the Preparatory Committee to consider the pending issues in addition to the two sessions initially approved by the General Assembly. We urge the international community to take special initiatives for the least developed countries, particularly in regard to the eradication of poverty, equitable implementation of the Agreements of the World Trade Organization, capacity-building, free access to their exports in the world markets, debt

cancellation, increased official development assistance and incentives for flows of foreign direct investment to the least developed countries;

(g) Reaffirm our commitment to the success of the international intergovernmental high-level event on financing for development to be held in 2001. Members of the Group should continue to actively and effectively participate in the proceedings of the preparatory committee and the regional meetings, as well as the conference itself, with the view to addressing national, international and systemic issues relating to financing for development in a holistic manner. We also call for the active participation of all stakeholders in the said conference so as to ensure enhanced financing for development, as well as to make the international financial system development-oriented, including through the broad-based participation of developing countries;

(h) Emphasize the importance of the five-year review of the Habitat Agenda, to be held in June 2001. We will endeavour to enhance coordination among members of the Group with a view to presenting a unified position in the preparatory process and the special session;

(i) Stress our commitment to the success of the special session in 2001 of the General Assembly on the ten-year review of the implementation of the Plan of Action adopted by the World Summit for Children. The Group should participate fully in the process and special session, with a view to improving the lives of children in developing countries;

(j) Reiterate the importance of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa from 31 August to 7 September 2001. We commit ourselves to the success of the preparatory process and the Conference, and call upon the international community to contribute towards the achievement of the goals of this conference;

(k) Express our deep concern on the spread of human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and other contagious diseases all over the world, particularly in developing countries and sub-Saharan Africa. We welcome the adoption by the General Assembly of resolution 54/283 of 5 September 2000, in which the Assembly decided to convene in special session to review and address the problems of HIV/AIDS in a comprehensive manner. We call for the holding of the event at appropriate time, taking into account the urgency of addressing this problem and the need to ensure effective and full participation by all countries;

(l) Express our concern about the lack of progress in the implementation of the principles and commitments made at Rio de Janeiro, particularly in areas such as concessional financial resources and transfer of environmentally sound technologies on concessional terms. We emphasize the need for the preparation for the ten-year follow-up to the United Nations Conference on Environment and Development to focus on identifying challenges and constraints in meeting such commitments, principles and evolving mechanisms and measures to remedy the situation. We stress that this review should not lead to renegotiation of Agenda 21 but to the identification of areas in which further actions are needed and of the source of financing to facilitate their implementation;

(m) Call for an intergovernmental process to consider and develop appropriate guidelines and rules of engagement of the private sector with the United Nations system, including the Global Compact initiative of the Secretary-General;

(n) Reiterate our deep concern over the difficult and chronic financial situation of the United Nations, primarily caused by the failure of a few developed countries, in particular the major contributor, to pay their assessed contributions to the regular budget and peacekeeping budgets in full, on time and without conditions;

(o) Reaffirm that the principle of the "capacity to pay" is the fundamental criterion in the apportionment of the expenses of the United Nations and, in this context, stress that developing countries should not be assessed at a rate higher than their capacity to pay as a result of any adjustments in the scale;

(p) Reiterate that the current principles and guidelines for the apportionment of the expenses of peacekeeping operations approved by the General Assembly should constitute the basis for any discussions on the peacekeeping scale;

(q) Underscore that resources proposed by the Secretary-General for the budget of the United Nations should be commensurate with all mandated programmes and activities in order to ensure their full implementation;

(r) Stress that there should be a balanced allocation of time for all administrative and budgetary issues of the United Nations to be considered during the fifty-fifth session of the General Assembly;

(s) Approve the report of the fifteenth Meeting of the Committee of Experts of the Perez Guerrero Trust Fund (document G-77/AM(XII)/2000/2), which was presented in accordance with the guidelines for the utilization of the Trust Fund, and endorse its recommendations. We commend the leadership of the Chairman of the Committee of Experts for his continued commitment and express our satisfaction with the results achieved by the Trust Fund;

(t) Approve the financial statement of the Group of 77 account for economic cooperation among developing countries (document G-77/AM(XII)/2000/3), as presented by the Chairman of the Group of 77. We appeal to all members of the Group of 77 to contribute generously to the account, in accordance with the decision contained in the Havana Programme of Action adopted by the South Summit held in Havana, from 10 to 14 April 2000.

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Agenda items 32, 33 and 40

Security Council
Fifty-fifth year

United Nations Year of Dialogue among Civilizations

Culture of peace

The situation in the Middle East

Letter dated 7 October 2000 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

In the 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (A/51/889-S/1997/357, annex) the Government of Israel and the Palestine Liberation Organization (PLO) agreed that Jewish holy sites in the areas under the administration of the Palestinian Authority would be duly respected and protected.

Agreed arrangements regarding the ancient Jewish holy site known as Joseph's Tomb, located in the West Bank town of Nablus, included the continued presence of Israelis at the site, and the preservation of existing religious practices.

During the course of the violence, incitement and rioting in the West Bank over the course of the past week, the Jewish holy site of Joseph's Tomb became a target of gunfire and violent attacks, both by mobs of Palestinian civilians, as well as armed militia and members of the Palestinian police, in stark and blatant violation of all agreements with Israel. This even led to the death of an Israeli police officer on duty within the site, after Palestinian officials refused to allow his safe evacuation when he had been severely wounded by Palestinian gunfire.

With a view to reducing tension, an agreement was reached on 6 October 2000, between the Israeli Defense Forces and the Palestinian police, whereby the Israeli personnel on duty in the Tomb would be removed from the site, as a temporary measure, and the Palestinian Authority would ensure its continued protection and preservation.

With the removal of the Israeli personnel, in accordance with this agreement, frenzied Palestinians, together with members of the Palestinian police, entered the site, set it ablaze, sacked it, violated it and commenced dismantling the historic and sacred structure of the Tomb.

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The Government and people of Israel, and Jews throughout the world, are outraged at this insufferable act of sacrilege directed against the most fundamental sources and tenets of the Jewish religion, and of civilized society. Israel holds the Palestinian leadership fully responsible for this sacrilege in the light of its unending incitement and encouragement of mob violence in the area.

Israel calls upon the civilized international community to condemn this action, with the utmost gravity, and exert its influence on the Palestinian leadership in order to prevent continued violation of this sacred site, and to enable its immediate repair, reconstruction and rededication. Israel further appeals to religious and political leaders throughout the world to demand that the Palestinian leadership ensure respect for other religions and for fundamental norms of civilized behaviour.

I should be grateful if you would have the present letter circulated as a document of the General Assembly under agenda items 32, 33 and 40, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative of Israel to the United Nations